

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3568

By: Manger

COMMITTEE SUBSTITUTE

An Act relating to state government; amending 74 O.S. 2021, Section 150.27, which relates to the deoxyribonucleic acid (DNA) laboratory of the Oklahoma State Bureau of Investigation; directing the Oklahoma State Bureau of Investigation to promulgate policies, procedures, and forms for statewide rapid DNA program; allowing use of Rapid DNA technology; requiring law enforcement agencies to meet certain standards; authorizing the Bureau to promulgate standards and provide certain training; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 74 O.S. 2021, Section 150.27, is amended to read as follows:

Section 150.27 A. There shall be established within the Oklahoma State Bureau of Investigation (OSBI) a deoxyribonucleic acid (DNA) laboratory for the purpose of determining DNA profiles to be used for evidence in criminal proceedings. The OSBI shall coordinate the use of this laboratory and equipment with federal, state, county, and municipal law enforcement agencies. All county

1 sheriff departments and all police departments for municipalities
2 may participate in this laboratory. The OSBI shall establish
3 standards and guidelines for the deoxyribonucleic acid (DNA)
4 laboratory and shall comply with any regulations applicable to DNA
5 testing, sampling and laboratory standards.

6 B. The OSBI may make a DNA profile of any blood or saliva
7 specimen received for any other purpose by the Bureau and place the
8 DNA profile in its DNA population database. The DNA population
9 database shall not be indexed by donor name, and the Bureau shall
10 promulgate rules to protect the privacy of the DNA donors.

11 C. The OSBI may contract for the services of a Forensic DNA
12 Technical Manager as reasonably necessary to ensure the continued
13 operations of the DNA laboratory. The OSBI shall be exempt from the
14 competitive bidding requirements of the Oklahoma Central Purchasing
15 Act for the purpose of soliciting, negotiating, and effectuating
16 such a contract or contracts.

17 D. The OSBI shall promulgate necessary policies, procedures,
18 and forms for participation in a rapid DNA investigative lead
19 program, a statewide program for law enforcement agencies, outlining
20 the collection and processing of suspected single source crime scene
21 samples utilizing rapid DNA instrumentation. The provisions of this
22 subsection authorize the OSBI to promulgate program parameters as
23 well as provide the procedures on technical and practical procedures
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1 for law enforcement agencies concerning the training, maintenance,
2 and use of rapid DNA instruments throughout the state.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 150.27b of Title 74, unless
5 there is created a duplication in numbering, reads as follows:

6 A. Rapid deoxyribonucleic (DNA) technology may be used to test
7 a DNA sample for comparison with samples in the OSBI Combined DNA
8 Index System (CODIS) Database. Standards for law enforcement
9 agencies shall be met before remote Rapid DNA machines may connect
10 with CODIS.

11 B. The provisions of this section shall authorize the Oklahoma
12 State Bureau of Investigation to promulgate those standards for law
13 enforcement agencies throughout the state as well as provide
14 technical and practical training to personnel of said law
15 enforcement agencies on the collection of DNA samples, maintenance
16 of the Rapid DNA equipment, and use of the Rapid DNA instruments.

17 SECTION 3. This act shall become effective November 1, 2024.
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