

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3568

By: Manger

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to state government; amending 74 O.S.
10 2021, Section 150.27, which relates to the
11 deoxyribonucleic acid (DNA) laboratory of the
12 Oklahoma State Bureau of Investigation; directing the
13 Oklahoma State Bureau of Investigation to promulgate
14 policies, procedures, and forms for statewide rapid
15 DNA program; allowing use of Rapid DNA technology;
16 requiring law enforcement agencies to meet certain
17 standards; authorizing the Bureau to promulgate
18 standards and provide certain training; providing for
19 codification; and providing an effective date.

20
21
22
23
24
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,

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

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

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

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

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.
18

19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/27/2024 -
20 DO PASS, As Amended.
21
22
23
24