

HOUSE RESEARCH

Bill Summary

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Subject: DNA Collection

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The bill authorizes the court, upon motion by the prosecution, to issue an order to show cause why an offender who should have been ordered to submit a DNA sample under Minnesota Statutes, section 609.117, but did not, should be ordered to provide one, even if the offender's sentence has expired. The prosecutor must provide the court with an affidavit that:

- identifies the offender by name and date of birth;
- identifies the offender's last known address;
- identifies the offender's charged offense, offense of conviction, and date of conviction; and
- indicates that the Bureau of Criminal Apprehension database has been searched and the offender has not previously provided a biological specimen for DNA analysis.

The order to show cause shall direct the offender to appear before the court within 30 days unless a specimen is provided.

Upon the offender's appearance in court, the court may issue an order directing the offender to provide the specimen.

If the offender fails to either provide a specimen or appear before the court, the court may issue an order requiring the offender to submit a specimen within 30 days at a designated location, and authorize a peace officer, upon noncompliance, to detain and bring the offender before the court to show cause why the specimen should not be detained.

The local corrections authority shall mail the order to the offender's last known address.