

AMENDMENTS TO LB496
(Amendments to E&R amendments, ER90)

Introduced by Hunt, 8.

1 1. Insert the following new sections:

2 Sec. 2. Section 29-4101, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 29-4101 Sections 29-4101 to 29-4115.01 and section 9 of this act
5 shall be known and may be cited as the DNA Identification Information
6 Act.

7 Sec. 9. (1) On or before July 1, 2022, the Attorney General shall
8 contact each law enforcement agency in the state to determine the
9 inventory of backlogged sexual assault forensic evidence collection kits
10 held by each such agency.

11 (2) On or before July 30, 2022, the Attorney General shall issue a
12 report regarding the number of backlogged sexual assault forensic
13 evidence collection kits held by all law enforcement agencies in the
14 state. The report shall contain aggregate data only and shall not contain
15 any personal identifying information. The report shall be made publicly
16 available on the Attorney General's web site and shall be electronically
17 submitted to the Legislature.

18 (3) On or before July 1, 2023, and on or before each July 1
19 thereafter, the Attorney General shall contact each law enforcement
20 agency in the state to determine the percentage of backlogged sexual
21 assault forensic evidence collection kits held by all law enforcement
22 agencies in this state that have been fully processed.

23 (4) On or before July 30, 2023, and on or before each July 30
24 thereafter, the Attorney General shall issue a report regarding the
25 percentage determined under subsection (3) of this section. The report
26 shall contain aggregate data only and shall not contain any personal

1 identifying information. The report shall be made publicly available on
2 the Attorney General's web site and shall be electronically submitted to
3 the Legislature.

4 (5) If the Attorney General determines that the percentage described
5 in subsection (3) of this section is ninety percent or higher, the
6 Attorney General shall issue and submit the next report required by
7 subsection (4) of this section and shall thereafter discontinue the
8 survey and reports under this section.

9 (6) Each law enforcement agency shall cooperate with the Attorney
10 General in carrying out his or her duties under this section.

11 (7) For purposes of this section:

12 (a) Backlogged sexual assault forensic evidence collection kit means
13 a sexual assault forensic evidence collection kit that:

14 (i) Is in the possession of a law enforcement agency as of January
15 1, 2021; and

16 (ii) Has not been fully processed;

17 (b) Fully processed means a sexual assault forensic evidence
18 collection kit:

19 (i) That has been appropriately tested;

20 (ii) For which reasonable efforts have been made to notify any
21 reasonably identifiable victim of any test results; and

22 (iii) For which testing results have been uploaded to the
23 appropriate state, local, and federal DNA data bases; and

24 (c) Implementation date means the January 1 next following the date
25 on which the Attorney General determines that the percentage described in
26 subsection (3) of this section is ninety percent or higher.

27 2. On page 7, line 8, strike "A" and insert "Beginning on the
28 implementation date as defined in section 9 of this act, a".

29 3. On page 9, line 9, strike "and 10" and insert "8, 9, and 12"; and
30 in line 14 after "sections" insert "29-4101,".

31 4. Renumber the remaining sections accordingly.