

WHEREAS, Means of identifying that unique DNA structure have been refined far beyond any previous means of human tissue analysis, to a level of scientific accuracy that approaches an infinitesimal margin of error; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

10-915.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DEOXYRIBONUCLEIC ACID (DNA)" MEANS THE MOLECULES IN ALL CELLULAR FORMS THAT CONTAIN GENETIC INFORMATION IN A PATTERNED CHEMICAL STRUCTURE ~~UNIQUE-TO~~ OF EACH INDIVIDUAL.

(3) "DNA PROFILE" MEANS AN ANALYSIS OF DNA RESULTING IN THE IDENTIFICATION OF AN INDIVIDUAL'S ~~UNIQUELY~~ PATTERNED CHEMICAL STRUCTURE OF GENETIC INFORMATION.

~~(B)--IN-ANY-LEGAL-PROCEEDING, THE IDENTITY OF ANY PARTY--MAY BE PROVED OR DISPROVED BY EVIDENCE OF A DNA PROFILE.~~

(B) IN ANY CRIMINAL PROCEEDING, THE EVIDENCE OF A DNA PROFILE IS ADMISSIBLE TO PROVE OR DISPROVE THE IDENTITY OF ANY PERSON.

(C) IF THE STATE DECIDES TO OFFER EVIDENCE OF A DNA PROFILE IN ANY CRIMINAL PROCEEDING, THE STATE SHALL--:

(1) AT LEAST 15 DAYS BEFORE THE CRIMINAL PROCEEDING, NOTIFY IN WRITING THE DEFENDANT OR THE DEFENDANT'S ATTORNEY AND MAIL, DELIVER, OR MAKE AVAILABLE TO THE DEFENDANT OR THE DEFENDANT'S ATTORNEY A COPY OF ANY REPORT OR STATEMENT TO BE INTRODUCED; AND

(2) UPON WRITTEN DEMAND OF THE DEFENDANT FILED AT LEAST 5 DAYS BEFORE THE CRIMINAL PROCEEDING, REQUIRE THE PRESENCE OF ANY PERSON IN THE CHAIN OF CUSTODY AS A PROSECUTION WITNESS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July-17-1989~~ January 1, 1990.

Approved May 19, 1989.