

1.1 moves to amend H.F. No. 3614, the delete everything amendment
1.2 (A24-0251), as follows:

1.3 Page 32, after line 17, insert:

1.4 "Sec. **[260B.009] DNA COLLECTION; PARENTAL CONSENT, COURT ORDER,**
1.5 **OR WARRANT REQUIRED.**

1.6 (a) As used in this section, "DNA analysis" has the meaning given in section 299C.155.

1.7 (b) A biological specimen for the purpose of DNA analysis must not be taken from a
1.8 minor without the consent of the minor's parent or custodian, a court order, or a warrant.

1.9 (c) A minor whose biological specimen is collected in violation of paragraph (b) may
1.10 move the court to suppress the use, as evidence, of the results of the DNA analysis and for
1.11 destruction of the biological specimen.

1.12 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to biological
1.13 specimen collected on or after that date.

1.14 Sec. Minnesota Statutes 2023 Supplement, section 299C.105, subdivision 1, is amended
1.15 to read:

1.16 Subdivision 1. **Required collection of biological specimen for DNA testing.** (a) Sheriffs,
1.17 peace officers, and community corrections agencies operating secure juvenile detention
1.18 facilities shall take or cause to be taken biological specimens for the purpose of DNA analysis
1.19 as defined in section 299C.155, of the following:

1.20 (1) ~~persons who have appeared in court and have had a judicial probable cause~~
1.21 ~~determination on a charge of committing,~~ or persons having been convicted of or attempting
1.22 to commit, any of the following:

1.23 (i) murder under section 609.185, 609.19, or 609.195;

- 2.1 (ii) manslaughter under section 609.20 or 609.205;
- 2.2 (iii) assault under section 609.221, 609.222, or 609.223;
- 2.3 (iv) robbery under section 609.24, aggravated robbery under section 609.245, or
- 2.4 carjacking under section 609.247;
- 2.5 (v) kidnapping under section 609.25;
- 2.6 (vi) false imprisonment under section 609.255;
- 2.7 (vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345,
- 2.8 609.3451, subdivision 3, or 609.3453;
- 2.9 (viii) incest under section 609.365;
- 2.10 (ix) burglary under section 609.582, subdivision 1; or
- 2.11 (x) indecent exposure under section 617.23, subdivision 3;
- 2.12 (2) persons sentenced as patterned sex offenders under section 609.3455, subdivision
- 2.13 3a; or
- 2.14 (3) ~~juveniles who have appeared in court and have had a judicial probable cause~~
- 2.15 ~~determination on a charge of committing,~~ or juveniles having been adjudicated delinquent
- 2.16 for committing or attempting to commit, any of the following:
- 2.17 (i) murder under section 609.185, 609.19, or 609.195;
- 2.18 (ii) manslaughter under section 609.20 or 609.205;
- 2.19 (iii) assault under section 609.221, 609.222, or 609.223;
- 2.20 (iv) robbery under section 609.24, aggravated robbery under section 609.245, or
- 2.21 carjacking under section 609.247;
- 2.22 (v) kidnapping under section 609.25;
- 2.23 (vi) false imprisonment under section 609.255;
- 2.24 (vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345,
- 2.25 609.3451, subdivision 3, or 609.3453;
- 2.26 (viii) incest under section 609.365;
- 2.27 (ix) burglary under section 609.582, subdivision 1; or
- 2.28 (x) indecent exposure under section 617.23, subdivision 3.

3.1 (b) Unless the superintendent of the bureau requires a shorter period, within 72 hours
 3.2 the biological specimen required under paragraph (a) must be forwarded to the bureau in
 3.3 such a manner as may be prescribed by the superintendent.

3.4 (c) Prosecutors, courts, and probation officers shall attempt to ensure that the biological
 3.5 specimen is taken on a person described in paragraph (a)."

3.6 Page 43, after line 9, insert:

3.7 "Sec. **REPEALER.**

3.8 Minnesota Statutes 2022, section 299C.105, subdivision 3, is repealed."

3.9 Renumber the sections in sequence and correct the internal references

3.10 Amend the title accordingly