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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2034

02/20/2023

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to crime; providing time limit for forensic laboratory testing of sexual
1.3 assault examination kits; amending Minnesota Statutes 2022, section 299C.106,
1.4 subdivision 3.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 299C.106, subdivision 3, is amended to read:

1.7 Subd. 3. **Submission and storage of sexual assault examination kits.** (a) Within 60
1.8 days of receiving an unrestricted sexual assault examination kit, a law enforcement agency
1.9 shall submit the kit for testing to a forensic laboratory. The testing laboratory shall return
1.10 unrestricted sexual assault examination kits to the submitting agency for storage after testing
1.11 is complete. The submitting agency must store unrestricted sexual assault examination kits
1.12 indefinitely.

1.13 (b) Within 60 days of a hospital preparing a restricted sexual assault examination kit or
1.14 a law enforcement agency receiving a restricted sexual assault examination kit from a
1.15 hospital, the hospital or the agency shall submit the kit to ~~the Bureau of Criminal~~
1.16 ~~Apprehension~~ a forensic laboratory. The ~~bureau~~ laboratory shall store all restricted sexual
1.17 assault examination kits collected by hospitals or law enforcement agencies in the state.
1.18 The ~~bureau~~ laboratory shall retain a restricted sexual assault examination kit for at least 30
1.19 months from the date the ~~bureau~~ laboratory receives the kit.

1.20 (c) The receiving forensic laboratory must test the sexual assault examination kit within
1.21 90 days of receipt from a hospital or law enforcement agency. Upon completion of testing,
1.22 the forensic laboratory will update the kit-tracking database to indicate that testing is
1.23 complete. The forensic laboratory must notify the submitting agency when any kit testing

- 2.1 does not meet the 90-day deadline and provide an estimated time frame for testing
- 2.2 completion.