

2007 POST CONVICTION DNA LEGISLATION

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ST	BILL #	SPONSOR	SUMMARY	STATUS
AL	HB 340	Hall	Provides for postjudgment motions for a new trial for DNA analysis and testing after a guilty verdict, judgment of not guilty by reason of mental disease or defect, or an adjudication of a juvenile as delinquent	Introduced
AL	SB 217	Sanders	Allows post conviction DNA testing for persons incarcerated or awaiting execution for a capital offense.	Passed Policy Committee
CA	SB 542	Romero	Permits a person subject to the sexually violent predator provisions to similarly make a motion for DNA testing	Introducedx
CT	HB 6671	Marie	Establishes a procedure to provide compensation to a person who is determined by DNA testing of evidence or otherwise to be innocent of a crime for which they were convicted and incarcerated.	Introduced
IL	SJR 9	Hunter	Creates the Illinois Justice Study Committee to review all non-capital wrongful conviction cases, identify the most common causes of wrongful conviction in non-capital cases, identify current law, and identify solutions.	Passed Policy Committee
KS	HB 2446	Appropriations Committee	Provides access to post conviction DNA testing for death row inmates.	Introduced
MS	HB 302	Fleming	Provides for post-conviction motions for DNA testing for all capital death penalty cases.	Died in Committee
MS	HB 620	Brown	Requires DNA testing in capital cases based on the availability of evidence. Establishes procedures for obtaining DNA samples. Provides for post-conviction motions for DNA testing.	Died in Committee
MS	HB 621	Brown	Requires DNA testing in capital cases based on the availability of evidence. Establishes procedures for obtaining DNA samples. Provides for post-conviction motions for DNA testing.	Died in Committee
MS	SB 2844	Albritton	Provides for motions for post conviction DNA testing.	Died in Committee
MO	HB 584	C. Johnson	Limits who may apply for post-conviction testing to individuals with a possible prison sentence of at least seven years. Requires that DNA evidence be retained for such period of time that the individual convicted remains incarcerated.	Introduced
NJ	HB 2277	Merkt	Provides for DNA testing on certain evidence in murder cases and requires DNA testing if death sentence was imposed and if the identity was at issue.	Introduced
NJ	SB 1529	Allen	Provides for DNA testing on certain evidence in murder cases and requires DNA testing if death sentence was imposed and if the identity was at issue.	Introduced

OR	SB 244	Senate Interim Committee on Judiciary	Deletes sunset from provisions relating to performance of certain DNA tests.	Passed Senate
SC	SB 429	Malloy	“Post Conviction DNA Procedures Act.” Permits access to post conviction DNA testing under certain circumstances.	Introduced
TN	HB 1333	Briley	“Tennessee Innocence Commission Act.” Requires the commission to investigate all post-conviction exonerations and pardons	Hearing 3/28
TN	SB 538	Jackson	“Tennessee Innocence Commission Act.” Requires the commission to investigate all post-conviction exonerations and pardons	Introduced
TX	HB 681	Hochberg	Allows judges to order additional forensic testing to resolve controverted and previously unresolved facts in an applicant's writ of <i>habeas corpus</i> . Requires the state to pay the cost of the testing and allows the use of a testing laboratory other than Department of Public Safety for good cause.	Passed Committee
TX	SB 499	Duncan	Adds timelines to the appointment of counsel in DNA testing cases.	Hearing 3/28
UT	HB 154	Litvak	Exoneration and Innocence Assistance Act. Modifies provisions regarding postconviction DNA testing and creates a process for postconviction claims of factual innocence, and for financial assistance if the petitioner is found to be factually innocent.	Passed House
UT	HB 356	Litvak	Provides that post conviction DNA tests must be made using a scientifically accepted procedure; and will be paid through a state DNA account, if: the court has ordered the DNA test upon petition from the defendant; the state crime laboratory does not have the resources to conduct the ordered DNA test; and the defendant is incarcerated and indigent.	ENACTED
VT	HB 50	Flory	Allows a person convicted of a crime to file a petition requesting forensic DNA testing of any evidence which may contain biological evidence. Creates a forensic laboratory oversight commission.	Introduced
VT	SB 6	Cummings	Allows a person convicted of a crime to file a petition requesting forensic DNA testing of any evidence which may contain biological evidence. Creates a forensic laboratory oversight commission.	Passed Senate
VA	HB 188	Marshall	Requires in sentencing capital cases at the request of the defendant, a jury shall be instructed that an individual who was sentenced to death in the Commonwealth and twice scheduled to be executed was later granted an absolute pardon based on DNA testing.	Died in Committee
VA	SB 579	McDougle	Requires that a person arrested for capital murder or attempted capital murder have a sample of saliva or tissue taken for DNA analysis.	ENACTED
WA	HB 1890	Strow	“DNA Testing Act of 2007” requires DNA evidence prior to the imposition of the death penalty.	Died In Committee

WV	HB 2124	Overington	Provides for post-conviction motions for DNA testing for all capital death penalty cases.	Introduced
WV	SB 590	Kessler	Requires the appropriate governmental entity to retain any biological material that is secured in the investigation or prosecution of a criminal case for the period of time that a defendant remains incarcerated in connection with that case.	Introduced