

SENATE BILL NO. 296

BY SENATOR MORRELL

1 AN ACT

2 To enact R.S. 15:622, relative to sexual assault collection kits; to require criminal justice
3 agencies to conduct a physical inventory of such kits; to provide for definitions; to
4 provide relative to the reporting of such inventory; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:622 is hereby enacted to read as follows:

7 **§622. Sexual assault collection kits**

8 **A. As used in this Section:**

9 **(1) "Criminal justice agency" means any government agency or subunit**
10 **thereof, or private agency that, through statutory authorization or a legal**
11 **formal agreement with a governmental unit or agency, has the power of**
12 **investigation, arrest, detention, prosecution, adjudication, treatment,**
13 **supervision, rehabilitation or release of persons suspected, charged, or**
14 **convicted of a crime; or that collects, stores, processes, transmits, or**
15 **disseminates criminal history record or crime information.**

16 **(2) "Forensic medical examination" means an examination provided to**
17 **the victim of a sexually-oriented criminal offense by a health care provider for**
18 **the purpose of gathering and preserving evidence of a sexual assault for use in**
19 **a court of law.**

20 **(3) "Sexual assault collection kit" means a human biological specimen**
21 **or specimens collected by a health care provider during a forensic medical**
22 **examination from the victim of a sexually-oriented criminal offense.**

23 **(4) "Sexually-oriented criminal offense" includes any sexual assault**
24 **offense as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S.**
25 **14:403.**

1 **(5) "Untested sexual assault collection kit" means a sexual assault**
2 **collection kit that has not been submitted to the Louisiana State Police Crime**
3 **Laboratory or a similar qualified laboratory for either a serology or**
4 **deoxyribonucleic acid (DNA) test.**

5 **B. By January 1, 2015, all criminal justice agencies charged with the**
6 **maintenance, storage, and preservation of sexual assault collection kits shall**
7 **conduct a physical inventory of all such kits being stored by the agency and**
8 **shall compile, in writing, a report containing the number of untested sexual**
9 **assault collection kits in the possession of the agency and the date the sexual**
10 **assault kit was collected. Each criminal justice agency shall also provide**
11 **written notification if it does not have any untested sexual assault collection kits**
12 **in its possession. The report shall be transmitted to the director of the Louisiana**
13 **State Police Crime Laboratory.**

14 **C. By March 1, 2015, the Louisiana State Police Crime Lab shall**
15 **prepare and transmit a report to the chairman of the Senate Committee on**
16 **Judiciary B and the chairman of the House of Representatives Committee on**
17 **Judiciary containing the number of untested sexual assault collection kits being**
18 **stored by each parish, by each criminal justice agency, and the date the untested**
19 **kit was collected. The report shall also include the name and contact**
20 **information of each criminal justice agency that failed to submit the report**
21 **required by Subsection B of this Section.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____