

SENATE BILL NO. 262

INTRODUCED BY J. COHENOUR, B. BENNETT, C. BOLAND, J. ELLIS, M. MACDONALD,
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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING RESTRICTIONS FOR THE COLLECTION OF DNA
SAMPLES FROM MINORS ~~UNDER 16 YEARS OF AGE~~; AND PROVIDING EXCEPTIONS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Restrictions for collection of DNA from minor under 16 years of age
BY A PEACE OFFICER.** A minor under ~~16~~ 18 years of age may not have a DNA sample collected BY A PEACE OFFICER
unless:

- (1) the minor was found under 41-5-1502 to have committed a sexual or violent offense;
- (2) a parent or LEGAL guardian has provided written permission; or
- (3) a court of competent jurisdiction has issued an order for the collection of a DNA sample.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
integral part of ~~Title 44, chapter 6, part 1, and the provisions of Title 44, chapter 6, part 1, apply to [section 1].~~
TITLE 46, CHAPTER 5, PART 4, AND THE PROVISIONS OF TITLE 46, CHAPTER 5, PART 4, APPLY TO [SECTION 1].

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