

HOUSE BILL 476

E2

4r1654
CF 4r3263

By: **Delegates Bartlett, Conaway, and Shetty**

Introduced and read first time: January 22, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Forensic Genetic Genealogical DNA Analysis and Search –**
3 **Applicability for Deceased and Missing Children**

4 FOR the purpose of providing that certain provisions of law regarding the use of a certain
5 forensic genetic genealogical DNA analysis and search (FGGS) do not apply when
6 the FGGS is conducted solely for the purpose of identifying an individual under a
7 certain age who is deceased or the subject of a certain missing person report and
8 whose whereabouts are unknown; and generally relating to the use of FGGS.

9 BY repealing and reenacting, without amendments,
10 Article – Criminal Procedure
11 Section 17–101(a) and (e)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2023 Supplement)

14 BY adding to
15 Article – Criminal Procedure
16 Section 17–101.1
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2023 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Criminal Procedure**

22 17–101.

23 (a) In this title the following words have the meanings indicated.

24 (e) “Forensic genetic genealogical DNA analysis and search” or “FGGS” means:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the forensic genetic genealogical DNA analysis of biological material
2 using SNP or other sequencing techniques to develop an FGG profile;

3 (2) a subsequent search using the FGG profile in a publicly available
4 open–data personal genomics database or a direct–to–consumer genetic genealogy service
5 to find individuals related to the source of the FGG profile; and

6 (3) a genealogical search using public records and other lawful means to
7 obtain information in accordance with this title.

8 **17–101.1.**

9 **THIS TITLE DOES NOT APPLY TO FGGS CONDUCTED SOLELY FOR THE**
10 **PURPOSE OF IDENTIFYING AN INDIVIDUAL UNDER THE AGE OF 18 YEARS WHO IS:**

11 **(1) DECEASED; OR**

12 **(2) THE SUBJECT OF A MISSING PERSON REPORT FILED WITH A LAW**
13 **ENFORCEMENT AGENCY IN THE STATE AND WHOSE WHEREABOUTS ARE UNKNOWN.**

14 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
15 **October 1, 2024.**