A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Section 22-4131 of the District of Columbia Official code to modify the
definition of "biological material" to ensure potentially exonerating evidence can
be tested for DNA.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Innocence Protection Amendment Act of 2012."

Sec. 2. Section 2(2) of The Innocence Protection Act of 2001, effective May 17,
2002, (D.C. Law 14-134; D.C. Official Code §22-4131) is amended to read as follows:

"(2) "Biological material" means the contents of a sexual assault examination kit;
and any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings,
bone, bodily fluids or other identifiable biological material that was collected as part of
the criminal investigation or may reasonably be used to incriminate or exculpate any
person for the offense. This definition applies whether that material is catalogued
separately (e.g. on a slide, swab or in a test tube) or is present on other evidence
(including, but not limited to, clothing, ligatures, bedding or other household material,
and drinking cups, cigarettes, etc.).".

Sec. 3. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.