

1 SENATE BILL 474

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Mimi Stewart

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10 AN ACT

11 RELATING TO LAW ENFORCEMENT; REQUIRING THE DEPARTMENT OF PUBLIC
12 SAFETY FORENSIC LABORATORIES BUREAU TO ASSIST LOCAL LAW
13 ENFORCEMENT CRIME LABORATORIES WITH TESTING SAMPLES OF
14 BIOLOGICAL MATERIAL COLLECTED PURSUANT TO A MEDICAL EXAMINATION
15 OF A SEXUAL ASSAULT VICTIM.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 29-3-4 NMSA 1978 (being Laws 1935,
19 Chapter 149, Section 7, as amended) is amended to read:

20 "29-3-4. STATE AGENCIES--COOPERATION.--

21 A. It ~~[shall be]~~ is the duty of the university of
22 New Mexico, the human services department, the department of
23 health ~~[and environment department]~~ and all other state
24 departments, divisions, bureaus, boards, commissions,
25 institutions and officials, free of charge or reward, to

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underscoring material = new
~~[bracketed material] = delete~~

1 cooperate with the law enforcement officers of the state and
2 the New Mexico state police, and to render to them such
3 services and assistance relative to microanalysis, handwriting,
4 toxicology, chemistry, photography, medicine, ballistics and
5 all other sciences and matters relating to or that would aid in
6 controlling crime and the detection, apprehension,
7 identification and prosecution of criminals.

8 B. To ensure timely identification and prosecution
9 of sexual assault offenders, the department of public safety
10 forensic laboratories bureau shall assist any other local law
11 enforcement agency crime laboratory that has more than one
12 hundred untested samples of biological material collected
13 pursuant to a medical examination of a sexual assault victim by
14 processing and testing samples for that laboratory.

15 C. As used in this section, "biological material"
16 means material that is derived from a human body and includes
17 bodily fluids, hair and skin cells."