

# STATE OF NEW YORK

2286

2019-2020 Regular Sessions

## IN SENATE

January 23, 2019

Introduced by Sens. SANDERS, KRUEGER -- read twice and ordered printed,  
and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to reports on untested  
sexual offense evidence collection kits

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. The executive law is amended by adding a new section 837-t  
2 to read as follows:

3 § 837-t. Untested sexual offense evidence collection kit reports. 1.  
4 As used in this section, the following terms shall have the following  
5 meanings:

6 (a) "Forensic medical examination" shall mean an examination provided  
7 to the victim of a sexual offense by a health care provider for the  
8 purpose of gathering and preserving evidence of a sexual offense for use  
9 in a court of law;

10 (b) "Sexual offense evidence collection kit" shall mean a human  
11 biological specimen or specimens collected by a health care provider  
12 during a forensic medical examination from the victim of a sexual  
13 offense; and

14 (c) "Untested sexual offense evidence collection kit" shall mean a  
15 sexual offense evidence collection kit that has not been submitted to  
16 the New York state police laboratory or a similar qualified laboratory  
17 for either a serology or deoxyribonucleic acid (DNA) test.

18 2. By July first, two thousand nineteen, and every first of July ther-  
19 after, all law enforcement agencies responsible for the taking and  
20 processing of sexual offense evidence collection kits shall conduct an  
21 inventory of all such kits being stored by the agency and report all of  
22 the following to the division:

23 (a) the number of sexual offense evidence collection kits the law  
24 enforcement agency collects;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD07097-01-9

1     (b) the number of sexual offense evidence collection kits that are  
2     tested; and

3     (c) the number of untested sexual offense evidence collection kits and  
4     the reason such kits remain untested.

5     3. By the first of January, two thousand twenty, and every first of  
6     January thereafter, the division shall prepare and transmit a report to  
7     the appropriate policy committees of the legislature summarizing the  
8     information the division receives pursuant to subdivision two of this  
9     section.

10     § 2. This act shall take effect immediately.