

CHAPTER 407

TRANSPORTATION AND STORAGE OF FORENSIC EXAMINATION KITS FOR ALLEGED VICTIMS OF SEXUAL ASSAULT

§3821. Transportation and storage of forensic examination kits

For the purposes of this section, "sexual assault" means any crime enumerated in Title 17-A, chapter 11 and "strangulation" has the same meaning as in Title 17-A, section 208, subsection 1, paragraph C. [PL 2023, c. 236, §1 (AMD).]

If an alleged victim of sexual assault or strangulation has a forensic examination and has not reported the alleged offense to a law enforcement agency when the examination is complete, the licensed hospital or licensed health care practitioner that completed the forensic examination shall notify the nearest law enforcement agency. That law enforcement agency shall transport the completed forensic examination kit, identified only by a tracking number assigned by the kit manufacturer, to its evidence storage facility. The law enforcement agency shall store the forensic examination kits involving sexual assault for 20 years and forensic examination kits involving only strangulation for 6 years. If during that storage period the alleged victim reports the offense to a law enforcement agency, the investigating agency shall take possession of the forensic examination kit. [PL 2023, c. 236, §1 (AMD).]

In the case of a forensic examination performed under Title 24, section 2986, subsection 5, the law enforcement agency must immediately notify the district attorney for the district in which the hospital or health care practitioner is located that such a forensic examination has been performed and a forensic examination kit has been completed under Title 24, section 2986, subsection 5. [PL 2005, c. 538, §3 (NEW).]

SECTION HISTORY

PL 1999, c. 719, §4 (NEW). PL 1999, c. 719, §11 (AFF). PL 2005, c. 538, §3 (AMD). PL 2007, c. 209, §7 (AMD). PL 2017, c. 156, §4 (AMD). PL 2019, c. 94, §2 (AMD). PL 2023, c. 236, §1 (AMD).

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