

PROPOSED AMENDMENT

HB 1248 # 1

DIGEST

Qualified entity. Removes references to CrimeStoppers and replaces them with references to a qualified entity. Establishes the requirements for a qualified entity and allows law enforcement agencies to enter into a memorandum of understanding with a qualified entity for purposes of funding DNA testing.

- 1 Page 2, between lines 23 and 24, begin a new paragraph and insert:
2 **"Sec. 7. As used in this chapter, "qualified entity" means an**
3 **entity that meets all of the following requirements:**
4 **(A) The entity:**
5 **(i) is exempt from federal income taxation under Section**
6 **501(c)(3) of the Internal Revenue Code; and**
7 **(ii) has as its purpose, in whole or in part, to assist in**
8 **solving crimes through a partnership between the**
9 **community and a law enforcement agency.**
10 **(B) The entity has been in existence for at least five (5)**
11 **years.**
12 **(C) The entity has:**
13 **(i) a certificate of existence on file with the secretary of**
14 **state; and**
15 **(ii) a determination letter from the Internal Revenue**
16 **Service.**
17 **(D) The entity has funding, or a demonstrated ability to**
18 **raise funding, to cover the cost of advanced DNA testing**
19 **under this chapter.**
20 **(E) The entity agrees to cover all costs associated with**
21 **advanced DNA testing without use of state funding,**
22 **including costs incurred by the state police laboratory in**
23 **performing advanced DNA testing.**
24 **(F) The entity has entered into a memorandum of**
25 **understanding with a law enforcement agency under**
26 **section 10 of this chapter."**
27 Page 2, line 24, delete "7." and insert "8."

- 1 Page 2, line 28, delete "Sec. 8." and insert "**Sec. 9.**".
- 2 Page 2, between lines 31 and 32, begin a new paragraph and insert:
- 3 "**Sec. 10. (a) A law enforcement agency may enter into a**
- 4 **memorandum of understanding with an entity for purposes of**
- 5 **funding advanced DNA testing for cold cases under this chapter if**
- 6 **the law enforcement agency finds the entity meets all of the**
- 7 **requirements under section 8(A) through 8(E) of this chapter.**
- 8 **(b) A law enforcement agency may cancel or suspend the**
- 9 **memorandum of understanding if the law enforcement agency has**
- 10 **reason to believe that the entity no longer meets all of the**
- 11 **requirements under section 8(A) through 8(E) of this chapter."**
- 12 Page 2, line 32, delete "Sec. 9." and insert "**Sec. 11.**".
- 13 Page 2, line 32, delete "Crime" and insert "**a qualified entity**".
- 14 Page 2, line 33, delete "Stoppers of Central Indiana".
- 15 Page 2, between lines 37 and 38, begin a new line block indented
- 16 and insert:
- 17 **(4) A law enforcement agency that has entered into a**
- 18 **memorandum of understanding with a qualified entity."**
- 19 Page 2, line 38, delete "Sec. 10. Crime Stoppers of Central Indiana"
- 20 and insert "**Sec. 12. A qualified entity**".
- 21 Page 3, line 1, delete "Crime" and insert "**the qualified entity**".
- 22 Page 3, line 2, delete "Stoppers of Central Indiana".
- 23 Page 3, line 3, delete "Sec. 11." and insert "**Sec. 13.**".
- 24 Page 3, line 3, delete "10" and insert "**12**".
- 25 Page 3, line 4, delete "Crime Stoppers of Central Indiana" and insert
- 26 "**the qualified entity**".
- 27 Page 3, line 7, delete "Sec. 12." and insert "**Sec. 14.**".
- 28 Page 3, line 7, delete "section 11" and insert "**section 13**".
- 29 Page 3, line 12, delete "Sec. 13." and insert "**Sec. 15.**".
- 30 Page 3, line 15, delete "Sec. 14." and insert "**Sec. 16.**".
- 31 Page 3, line 19, delete "Sec. 15." and insert "**Sec. 17.**".
- 32 Renumber all SECTIONS consecutively.
(Reference is to HB 1248 as introduced.)