

**Senate Bill No. 600**

(By Senator Unger)

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[Introduced February 21, 2011; referred to the Committee on the  
Judiciary.]

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A BILL to amend the Code of West Virginia, 1931, as amended, by  
adding thereto a new section, designated §15-2B-15, relating  
to DNA data collection generally; and allowing the use of  
partial-match analysis as an investigative tool in murder,  
kidnapping and first and second degree sexual assault cases  
where all investigated leads have been exhausted.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended  
by adding thereto a new section, designated §15-2B-15, to read as  
follows:

**ARTICLE 2B. DNA DATA.**

**§15-2B-15. Partial matches and the DNA database.**

(a) For purposes of this section, "partial match" means that  
two DNA profiles, while not an exact match, share a sufficient  
number of characteristics to indicate the possibility of a

1 biological relationship.

2 (b) In cases limited to murder, kidnapping and first and  
3 second degree sexual assault, as defined in this code, where all  
4 investigated leads have been exhausted, partial match analysis may  
5 be used as an investigative tool. The West Virginia State Police  
6 shall propose rules for legislative approval in accordance with the  
7 provisions of article three, chapter twenty-nine-a of this code to  
8 define policy and procedure for the use of partial match analysis.  
9 The same standards and procedures defined in this section and rules  
10 adopted hereunder apply to requests for partial match information  
11 from criminal justice agencies from outside the state.

NOTE: The purpose of this bill allow the use of partial match DNA analysis as an investigative tool in murder, kidnapping, and first and second degree sexual assault cases where all investigated leads have been exhausted.

§15-2B-15 is new; therefore, strike-throughs and underscoring have been omitted.