

1 HOUSE BILL 340

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 Yanira Gurrola and Charlotte Little and Eleanor Chávez  
5 and Joy Garratt and Patricia Roybal Caballero  
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10 AN ACT

11 RELATING TO DNA IDENTIFICATION; PROVIDING PROCEDURES FOR THE  
12 DNA OF A PERSON ARRESTED FOR A FELONY BUT WHO DIES BEFORE BEING  
13 CHARGED TO BE ENTERED INTO CODIS.  
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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 SECTION 1. A new section of the DNA Identification Act is  
17 enacted to read:

18 "[NEW MATERIAL] ENTERING DNA INTO CODIS AFTER DEATH.--The  
19 administrative center shall enter the DNA of a person collected  
20 pursuant to Section 29-3-10 NMSA 1978 into CODIS upon the death  
21 of the person if the person dies before being charged with a  
22 felony; provided that, if:

23 A. the person was not in prison at the time of  
24 death, the DNA shall be entered only upon a motion by the  
25 district attorney and an order from the court with jurisdiction

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1 over the felony had charges been filed; and

2 B. the person was in prison at the time of death or  
3 had been released prior to July 1, 1997, the DNA shall be  
4 entered automatically."

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