

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 4202

STATE OF NEW JERSEY
222nd LEGISLATURE

ADOPTED OCTOBER 19, 2026

Sponsored by:

Assemblywoman CAROL A. MURPHY

District 7 (Burlington)

Assemblywoman ELLEN J. PARK

District 37 (Bergen)

SYNOPSIS

Requires collection of DNA sample for certain arrests.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Public Safety and Preparedness Committee.



(Sponsorship Updated As Of: 10/19/2026)

1 **AN ACT** concerning DNA testing and amending P.L.1994, c.136.

2

3 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 4 *of New Jersey:*

5

6 1. Section 4 of P.L.1994, c.136 (C.53:1-20.20) is amended to
 7 read as follows:

8 4. a. On or after January 1, 1995 every person convicted of
 9 aggravated sexual assault and sexual assault under N.J.S.2C:14-2 or
 10 aggravated criminal sexual contact and criminal sexual contact
 11 under N.J.S.2C:14-3 or any attempt to commit any of these crimes
 12 and who is sentenced to a term of imprisonment shall have a blood
 13 sample drawn or other biological sample collected for purposes of
 14 DNA testing upon commencement of the period of confinement.

15 In addition, every person convicted on or after January 1, 1995
 16 of these offenses, but who is not sentenced to a term of
 17 confinement, shall provide a DNA sample for purposes of DNA
 18 testing as a condition of the sentence imposed. A person who has
 19 been convicted and incarcerated as a result of a conviction of one or
 20 more of these offenses prior to January 1, 1995 shall provide a
 21 DNA sample before parole or release from incarceration.

22 Every person arrested for an offense enumerated in this
 23 subsection shall provide a DNA sample for purposes of DNA
 24 testing prior to the person's release from custody.

25 b. On or after January 1, 1998 every juvenile adjudicated
 26 delinquent for an act which, if committed by an adult, would
 27 constitute aggravated sexual assault or sexual assault under
 28 N.J.S.2C:14-2 or aggravated criminal sexual contact or criminal
 29 sexual contact under N.J.S.2C:14-3, or any attempt to commit any
 30 of these crimes, shall have a blood sample drawn or other biological
 31 sample collected for purposes of DNA testing.

32 Every juvenile arrested for an act which, if committed by an
 33 adult, would constitute an offense enumerated in this subsection
 34 shall provide a DNA sample for purposes of DNA testing prior to
 35 the juvenile's release from custody.

36 c. On or after January 1, 1998 every person found not guilty by
 37 reason of insanity of aggravated sexual assault or sexual assault
 38 under N.J.S.2C:14-2 or aggravated criminal sexual contact or
 39 criminal sexual contact under N.J.S.2C:14-3, or any attempt to
 40 commit any of these crimes, or adjudicated not delinquent by reason
 41 of insanity for an act which, if committed by an adult, would
 42 constitute one of these crimes, shall have a blood sample drawn or
 43 other biological sample collected for purposes of DNA testing.

44 d. On or after January 1, 2000 every person convicted of
 45 murder pursuant to N.J.S.2C:11-3, manslaughter pursuant to
 46 N.J.S.2C:11-4, aggravated assault of the second degree pursuant to

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 paragraph (1) or (6) of subsection b. of N.J.S.2C:12-1, kidnapping
2 pursuant to N.J.S.2C:13-1, luring or enticing a child in violation of
3 P.L.1993, c.291 (C.2C:13-6), endangering welfare of children
4 pursuant to N.J.S.2C:24-4, except for paragraph (2) of subsection
5 a., or any attempt to commit any of these crimes and who is
6 sentenced to a term of imprisonment shall have a blood sample
7 drawn or other biological sample collected for purposes of DNA
8 testing upon commencement of the period of confinement.

9 In addition, every person convicted on or after January 1, 2000
10 of these offenses, but who is not sentenced to a term of
11 confinement, shall provide a DNA sample as a condition of the
12 sentence imposed. A person who has been convicted and
13 incarcerated as a result of a conviction of one or more of these
14 offenses prior to January 1, 2000 shall provide a DNA sample
15 before parole or release from incarceration.

16 Every person arrested for an offense enumerated in this
17 subsection shall provide a DNA sample for purposes of DNA
18 testing prior to the person's release from custody.

19 e. On or after January 1, 2000 every juvenile adjudicated
20 delinquent for an act which, if committed by an adult, would
21 constitute murder pursuant to N.J.S.2C:11-3, manslaughter pursuant
22 to N.J.S.2C:11-4, aggravated assault of the second degree pursuant
23 to paragraph (1) or (6) of subsection b. of N.J.S.2C:12-1,
24 kidnapping pursuant to N.J.S.2C:13-1, luring or enticing a child in
25 violation of P.L.1993, c.291 (C.2C:13-6), endangering welfare of
26 children pursuant to N.J.S.2C:24-4, except for paragraph (2) of
27 subsection a., or any attempt to commit any of these crimes, shall
28 have a blood sample drawn or other biological sample collected for
29 purposes of DNA testing.

30 Every juvenile arrested for an act which, if committed by an
31 adult, would constitute an offense enumerated in this subsection
32 shall provide a DNA sample for purposes of DNA testing prior to
33 the juvenile's release from custody.

34 f. On or after January 1, 2000 every person found not guilty by
35 reason of insanity of murder pursuant to N.J.S.2C:11-3,
36 manslaughter pursuant to N.J.S.2C:11-4, aggravated assault of the
37 second degree pursuant to paragraph (1) or (6) of subsection b. of
38 N.J.S.2C:12-1, kidnapping pursuant to N.J.S.2C:13-1, luring or
39 enticing a child in violation of P.L.1993, c.291 (C.2C:13-6),
40 endangering welfare of children pursuant to N.J.S.2C:24-4, except
41 for paragraph (2) of subsection a., or any attempt to commit any of
42 these crimes, or adjudicated not delinquent by reason of insanity for
43 an act which, if committed by an adult, would constitute one of
44 these crimes, shall have a blood sample drawn or other biological
45 sample collected for purposes of DNA testing.

46 g. Every person convicted or found not guilty by reason of
47 insanity of a crime or a specified disorderly persons offense shall
48 have a blood sample drawn or other biological sample collected for

1 purposes of DNA testing. If the person is sentenced to a term of
2 imprisonment or confinement, the person shall have a blood sample
3 drawn or other biological sample collected for purposes of DNA
4 testing upon commencement of the period of imprisonment or
5 confinement. If the person is not sentenced to a term of
6 imprisonment or confinement, the person shall provide a DNA
7 sample as a condition of the sentence imposed. A person who has
8 been convicted or found not guilty by reason of insanity of a crime
9 prior to the effective date of P.L.2003, c.183 or of a specified
10 disorderly persons offense prior to the effective date of P.L.2015,
11 c.263 and who, on the effective date, is serving a sentence of
12 imprisonment, probation, parole or other form of supervision as a
13 result of the crime or is confined following acquittal by reason of
14 insanity shall provide a DNA sample before termination of
15 imprisonment, probation, parole, supervision or confinement, as the
16 case may be.

17 h. Every juvenile adjudicated delinquent, or adjudicated not
18 delinquent by reason of insanity, for an act which, if committed by
19 an adult, would constitute a crime or a specified disorderly persons
20 offense shall have a blood sample drawn or other biological sample
21 collected for purposes of DNA testing. If under the order of
22 disposition the juvenile is sentenced to some form of imprisonment,
23 detention or confinement, the juvenile shall have a blood sample
24 drawn or other biological sample collected for purposes of DNA
25 testing upon commencement of the period of imprisonment,
26 detention or confinement. If the order of disposition does not
27 include some form of imprisonment, detention or confinement, the
28 juvenile shall provide a DNA sample as a condition of the
29 disposition ordered by the court. A juvenile who, prior to the
30 effective date of P.L.2003, c.183, has been adjudicated delinquent,
31 or adjudicated not delinquent by reason of insanity for an act which,
32 if committed by an adult, would constitute a crime or, prior to the
33 effective date of P.L.2015, c.263, has been adjudicated delinquent
34 or adjudicated not delinquent by reason of insanity for an act which,
35 if committed by an adult, would constitute a specified disorderly
36 persons offense, and who on the effective date is under some form
37 of imprisonment, detention, confinement, probation, parole or any
38 other form of supervision as a result of the offense or is confined
39 following an adjudication of not delinquent by reason of insanity
40 shall provide a DNA sample before termination of imprisonment,
41 detention, supervision or confinement, as the case may be.

42 As used in this act, "specified disorderly persons offense" shall
43 mean assault constituting domestic violence as defined in section 3
44 of P.L.1991, c.261 (C.2C:25-19); prostitution pursuant to
45 N.J.S.2C:34-1; any disorderly persons offense relating to narcotics
46 or dangerous drugs for which a person is required to be
47 fingerprinted pursuant to section 1 of P.L.1952, c.92 (C.53:1-18.1),
48 excluding possession of 50 grams or less of marijuana, including

1 any adulterants or dilutants, or five grams or less of hashish under
2 N.J.S.2C:35-10; or any other disorderly persons offense for which a
3 person is required to be fingerprinted pursuant to R.S.53:1-15. A
4 "specified disorderly persons offense" shall not include shoplifting
5 pursuant to N.J.S.2C:20-11.

6 i. Nothing in this act shall be deemed to limit or preclude
7 collection of DNA samples as authorized by court order or in
8 accordance with any other law.

9 j. (1) Every person arrested for human trafficking pursuant to
10 section 1 of P.L.2005, c.77 (C.2C:13-8), aggravated arson or arson
11 pursuant to N.J.S.2C:17-1, carjacking pursuant to section 1 of
12 P.L.1993, c.221 (C.2C:15-2), burglary pursuant to N.J.S.2C:18-2,
13 home invasion burglary pursuant to section 1 of P.L.2024, c.83
14 (C.2C:18-2.1), or residential burglary pursuant to section 2 of
15 P.L.2024, c.83 (C.2C:18-2.2) shall provide a DNA sample for
16 purposes of DNA testing prior to the person's release from custody.

17 (2) Every juvenile arrested for an act which, if committed by an
18 adult, would constitute human trafficking pursuant to section 1 of
19 P.L.2005, c.77 (C.2C:13-8), aggravated arson or arson pursuant to
20 N.J.S.2C:17-1, carjacking pursuant to section 1 of P.L.1993, c.221
21 (C.2C:15-2), burglary pursuant to N.J.S.2C:18-2, home invasion
22 burglary pursuant to section 1 of P.L.2024, c.83 (C.2C:18-2.1), or
23 residential burglary pursuant to section 2 of P.L.2024, c.83
24 (C.2C:18-2.2) shall provide a DNA sample for purposes of DNA
25 testing prior to the juvenile's release from custody.

26 (cf: P.L.2019, c.122, s.1)

27
28 2. This act shall take effect immediately.