

**SENATE, No. 4678**

**STATE OF NEW JERSEY**  
**222nd LEGISLATURE**

INTRODUCED OCTOBER 1, 2026

**Sponsored by:**  
**Senator GORDON M. JOHNSON**  
**District 37 (Bergen)**

**SYNOPSIS**

Concerns investigative genetic genealogy; appropriates \$500,000.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning investigative genetic genealogy, supplementing  
2 Title 52 of the Revised Statutes, and making an appropriation.

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

6  
7 1. a. As used in this act:

8 “Accessible genetic genealogy database” means a consumer or  
9 private genetic genealogy database where users upload their genetic  
10 data and are given the option to have that data searched for the  
11 purposes of investigative genetic genealogy.

12 “Genetic genealogy database” means any consumer or private  
13 genetic genealogy database where users upload their genetic data  
14 for genealogical purposes.

15 “Investigating agency” means a State, county, or municipal law  
16 enforcement agency, medical examiner’s office, post-conviction  
17 organization, or criminal defense attorney.

18 “Investigative genetic genealogy” means an investigative method  
19 applied to investigative genetic genealogy qualifying crimes,  
20 wrongful convictions, and unidentified human remains that uses  
21 genetic and genealogical information to establish relationships  
22 between individuals, leading to a hypothesis about the identity of an  
23 individual.

24 “Investigative genetic genealogy center” means a center or  
25 organization that conducts investigative genetic genealogy and is  
26 overseen by at least one investigative genetic genealogy practitioner  
27 that is accredited by the Investigative Genetic Genealogy  
28 Accreditation Board.

29 “Investigative genetic genealogy practitioner” means an  
30 individual qualified through training or experience to conduct  
31 investigative genetic genealogy.

32 “Investigative genetic genealogy qualifying crime” means  
33 murder, aggravated manslaughter, sexual assault or aggravated  
34 sexual assault, aggravated assault, terrorism, kidnapping, ongoing  
35 threats to the public, and any other violent crimes as defined by the  
36 Federal Bureau of Investigation’s Uniform Crime Reporting  
37 Program.

38 “Probative DNA” means DNA that is reasonably believed by law  
39 enforcement, the medical examiner, or a post-conviction or defense  
40 attorney to have come from the perpetrator of an investigative  
41 genetic genealogy qualifying crime or unidentified human remains.

42 “Reference tester” means an individual who agrees to submit the  
43 individual’s DNA for testing; an individual whose DNA is  
44 surreptitiously collected, tested, and submitted to one or more  
45 genetic genealogy databases; or an individual who agrees to upload  
46 the individual’s existing genetic profile to one or more genetic  
47 genealogy databases.

1       “Single nucleotide polymorphism (SNP) DNA profile” means a  
2 genetic profile that is suitable for upload to one or more genetic  
3 genealogy databases.

4       b. An investigating agency shall collaborate with an  
5 investigative genetic genealogy center on cases where investigative  
6 genetic genealogy is being utilized and shall be permitted to choose  
7 which investigative genetic genealogy center with which to  
8 collaborate. The policies and procedures set forth by the  
9 investigative genetic genealogy center shall apply to all  
10 investigative genetic genealogy casework performed by the  
11 investigative genetic genealogy center.

12       c. A State, county, or municipal law enforcement agency may  
13 initiate investigative genetic genealogy for an unsolved crime if the  
14 law enforcement agency reasonably believes that the crime is an  
15 investigative genetic genealogy qualifying crime and probative  
16 DNA related to the crime is available for testing.

17       d. A State, county, or municipal law enforcement agency or  
18 medical examiner’s office may initiate investigative genetic  
19 genealogy for unidentified human remains if probative DNA related  
20 to the remains is available for testing.

21       e. An individual seeking post-conviction relief may request  
22 investigative genetic genealogy in accordance with the procedures  
23 and criteria set forth in section 1 of P.L.2001, c.377 (C.2A:84A-  
24 32a); except that the provisions of paragraphs (1) and (2) of  
25 subsection e. of section 1 of P.L.2001, c.377 (C.2A:84A-32a) shall  
26 not apply. The cost of conducting investigative genetic genealogy  
27 shall be borne by the individual seeking post-conviction relief.

28       f. The investigative genetic genealogy center performing the  
29 investigative genetic genealogy may coordinate or facilitate the  
30 shipment of evidentiary samples from the investigating agency to  
31 the appropriate laboratory. It shall be the responsibility of the  
32 investigating agency to ship any evidentiary samples to the  
33 appropriate laboratory.

34       g. The investigative genetic genealogy center shall consult with  
35 the investigating agency regarding the appropriate single nucleotide  
36 polymorphism (SNP) DNA testing laboratory for a particular  
37 evidentiary sample. The investigating agency shall abide by the  
38 terms of service provided by the single nucleotide polymorphism  
39 (SNP) DNA testing laboratory that is used.

40       h. If a confirmatory one-to-one DNA comparison is used to  
41 confirm the investigative genetic genealogy lead, it may be  
42 conducted by using a comparison of short-tandem-repeat (STR)  
43 DNA profiles or single nucleotide polymorphism (SNP) profiles.  
44 When relying on a short-tandem-repeat (STR) DNA profile  
45 comparison, the investigating agency shall use only forensic DNA  
46 testing laboratories that are accredited to conduct these  
47 comparisons. When relying on a single nucleotide polymorphism  
48 (SNP) DNA profile comparison, any laboratory capable of

1 completing the comparison may be used. The investigative genetic  
2 genealogy center shall consult with the investigating agency to  
3 determine the appropriate laboratory for conducting a direct single  
4 nucleotide polymorphism (SNP) to single nucleotide polymorphism  
5 (SNP) comparison. For cases involving unidentified human  
6 remains, wrongful conviction, or criminal cases in which one-to-one  
7 DNA comparison is not practicable or possible, confirmation of  
8 identity may be conducted through the use of familial DNA or other  
9 investigative means.

10 i. The investigating agency shall retain authority over all  
11 materials developed in a case involving investigative genetic  
12 genealogy.

13 j. The single nucleotide polymorphism (SNP) profile derived  
14 from the probative DNA may only be uploaded to genetic  
15 genealogy databases whose terms of service allow for law  
16 enforcement use, unless a court issues a warrant allowing law  
17 enforcement access to other genetic genealogy databases.

18 k. If reference testing is required, the investigating agency shall  
19 determine the parameters of contact with reference testers in  
20 collaboration with the investigative genetic genealogy center. The  
21 investigating agency shall use voluntary reference testers, unless the  
22 investigating agency reasonably believes the use of voluntary  
23 reference testers will jeopardize the case.

24 When relying on a voluntary reference tester, the reference tester  
25 shall retain ownership and control over the individual's genetic  
26 profile and may revoke consent for law enforcement use at any time  
27 by opting out of allowing law enforcement to search in the  
28 accessible genetic genealogy databases or removing the profile from  
29 any genetic genealogy database.

30 When an investigating agency reasonably believes that relying  
31 on a voluntary reference tester will jeopardize the case, the  
32 investigating agency may conduct surreptitious DNA collection in  
33 accordance with State law. The genetic profiles of reference testers  
34 whose DNA is collected surreptitiously may only be uploaded to  
35 accessible genetic genealogy databases, unless a court issues a  
36 warrant authorizing the genetic profile to be uploaded to any  
37 genetic genealogy database identified in the warrant.

38 1. If an individual is acquitted through the use of investigative  
39 genetic genealogy after being charged with an investigative genetic  
40 genealogy qualifying crime, all genetic profiles for that individual  
41 and for any reference testers whose DNA was collected  
42 surreptitiously shall be removed from all genetic genealogy  
43 databases.

44  
45 2. a. The Attorney General shall establish a grant program to  
46 provide funding to State, county, and municipal law enforcement  
47 agencies and medical examiner's offices for:

1 (1) the laboratory costs for developing single nucleotide  
2 polymorphism (SNP) profiles for investigative genetic genealogy,  
3 enabling the uploading of single nucleotide polymorphism (SNP)  
4 profiles, including reference tester profiles, to genetic genealogy  
5 databases; and utilizing confirmatory DNA testing using short-  
6 tandem-repeat (STR) or single nucleotide polymorphism (SNP); and

7 (2) the cost for the investigative genetic genealogy center to  
8 perform investigative genetic genealogy, which shall be \$7,500 per  
9 case to be paid by the law enforcement agency or medical  
10 examiner's office to the investigative genetic genealogy center.

11 The Attorney General shall establish guidelines to implement the  
12 grant program including, but not limited to, application procedures  
13 and eligibility criteria.

14 b. There is established in the Department of Law and Public  
15 Safety a separate, nonlapsing fund to be known as the "Investigative  
16 Genetic Genealogy Fund." The fund shall consist of moneys  
17 appropriated by the Legislature for the purposes of the fund. All  
18 interest earned on moneys in the fund shall be credited to the fund.  
19 The fund shall be administered by the Attorney General and shall be  
20 used solely for the purposes set forth in subsection a. of this section.

21  
22 3. a. There is appropriated from the General Fund to the  
23 Department of Law and Public Safety \$500,000 which shall be  
24 deposited into the "Investigative Genetic Genealogy Fund" to be  
25 used for the purposes set forth in section 2 of this act.

26 b. The Department of Law and Public Safety shall request  
27 annually as part of its annual budget proposal \$500,000 to fund the  
28 grants authorized pursuant to section 2 of this act.

29  
30 4. This act shall take effect on the first day of the seventh  
31 month next following the date of enactment.

#### 32 33 34 STATEMENT

35  
36 This bill concerns investigative genetic genealogy and  
37 appropriates \$500,000.

38 Under the provisions of this bill, an investigating agency is  
39 required to collaborate with an investigative genetic genealogy  
40 center on cases where investigative genetic genealogy is being  
41 utilized and is permitted to choose which investigative genetic  
42 genealogy center to collaborate with. The policies and procedures  
43 set forth by the investigative genetic genealogy center are to apply  
44 to all investigative genetic genealogy casework performed by the  
45 investigative genetic genealogy center.

46 The bill defines an "investigating agency" as a State, county, and  
47 municipal law enforcement agency, medical examiner's office,  
48 post-conviction organization, or criminal defense attorney.

1 Additionally, “investigative genetic genealogy center” is defined as  
2 a center or an organization that conducts investigative genetic  
3 genealogy and is overseen by at least one investigative genetic  
4 genealogy practitioner that is accredited by the Investigative  
5 Genetic Genealogy Accreditation Board.

6 Under the bill, a State, county, or municipal law enforcement  
7 agency may initiate investigative genetic genealogy for an unsolved  
8 crime if the law enforcement agency reasonably believes that the  
9 crime is an investigative genetic genealogy qualifying crime and  
10 probative DNA related to the crime is available for testing. The bill  
11 defines “investigative genetic genealogy qualifying crime” as  
12 murder, aggravated manslaughter, sexual assault or aggravated  
13 sexual assault, aggravated assault, terrorism, kidnapping, ongoing  
14 threats to the public, and any other violent crimes as defined by the  
15 Federal Bureau of Investigation’s Uniform Crime Reporting  
16 Program.

17 In addition, a State, county, or municipal law enforcement  
18 agency or a medical examiner’s office may initiate investigative  
19 genetic genealogy for unidentified human remains if probative  
20 DNA related to the remains is available for testing.

21 Further, under the bill, an individual seeking post-conviction  
22 relief may request investigative genetic genealogy in accordance  
23 with the procedures set forth under current law for requesting DNA  
24 testing, with the exception of certain provisions requiring the use of  
25 certain laboratories for DNA testing. The costs of conducting  
26 investigative genetic genealogy are to be borne by the individual  
27 seeking post-conviction relief.

28 The bill further sets forth procedures for conducting investigative  
29 genetic genealogy, including coordination of the shipment of  
30 evidentiary samples, selection of the appropriate laboratory for  
31 testing evidentiary samples, the uploading of the genetic profiles to  
32 genetic genealogy databases, and the deletion of genetic profiles for  
33 a person who was acquitted through the use of investigative genetic  
34 genealogy after being charged with certain qualifying crimes and  
35 any reference testers whose DNA was surreptitiously collected.

36 In addition, the bill sets forth criteria for using reference testers  
37 in investigative genetic genealogy. “Reference tester” is defined as  
38 an individual who agrees to submit the individual’s DNA for  
39 testing; an individual whose DNA is surreptitiously collected,  
40 tested, and submitted to one or more genetic genealogy databases;  
41 or an individual who agrees to upload the individual’s existing  
42 genetic profile to one or more genetic genealogy databases.

43 The bill requires the Attorney General to establish a grant  
44 program to provide funding to State, county, and municipal law  
45 enforcement agencies and medical examiner’s offices for: 1) the  
46 laboratory costs for developing single nucleotide polymorphism  
47 (SNP) profiles for investigative genetic genealogy; enabling the  
48 uploading of single nucleotide polymorphism (SNP) profiles,

1 including reference tester profiles, to genetic genealogy databases;  
2 and utilizing confirmatory DNA testing using short-tandem-repeat  
3 (STR) or single nucleotide polymorphism (SNP); and 2) the cost for  
4 the investigative genetic genealogy center to perform investigative  
5 genetic genealogy, which is to be \$7,500 per case to be paid by the  
6 law enforcement agency or medical examiner's office to the  
7 investigative genetic genealogy center. The Attorney General is  
8 required to establish guidelines to implement the grant program,  
9 including, but not limited to, application procedures and eligibility  
10 criteria.

11 Further, under the bill, there is created in the Department of Law  
12 and Public Safety a nonlapsing revolving fund to be known as the  
13 "Investigative Genetic Genealogy Fund." Moneys deposited in the  
14 fund, and any interest, are required to be used exclusively for the  
15 purposes set forth in the bill.

16 Finally, the bill appropriates from the General Fund to the  
17 Department of Law and Public Safety \$500,000 which is to be  
18 deposited into the "Investigative Genetic Genealogy Fund" to be  
19 used for the purposes set forth in the bill. The Department of Law  
20 and Public Safety is required to request annually as part of its  
21 annual budget proposal \$500,000 to fund the grants authorized  
22 pursuant to the bill's provisions.