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Sponsor(s): Representatives Kagi, Delvin, O'Brien, Campbell, Sullivan, McIntire, Cooper, Moeller, Simpson, Flannigan, Wallace, Wood and Kenney

Brief Description: Adjusting procedures for postconviction DNA testing.

**HB 1391 - DIGEST**

(DIGEST AS ENACTED)

Provides that, on or before December 31, 2004, a person in this state who has been convicted of a felony and is currently serving a term of imprisonment and who has been denied postconviction DNA testing may submit a request to the state Office of Public Defense, which will transmit the request to the county prosecutor in the county where the conviction was obtained. On and after January 1, 2005, a person must raise the DNA issues at trial or on appeal.

Directs the prosecutor to inform the requestor and the state Office of Public Defense of the decision, and shall, in the case of an adverse decision, advise the requestor of appeals rights.