81.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. *"Aggravated misdemeanor"* means an offense classified as an aggravated misdemeanor committed by a person eighteen years of age or older on or after July 1, 2014, other than any of the following offenses:

a. A violation of chapter 321.

b. A second offense violation of section 321J.2, unless the person has more than one previous revocation as determined pursuant to section 321J.2, subsection 8, within the twelve-year period immediately preceding the commission of the offense in question.

c. A violation of chapter 716B.

d. A violation of chapter 717A.

e. A violation of section 725.7.

2. *"DNA"* means deoxyribonucleic acid.

3. *"DNA data bank"* means the repository for DNA samples obtained pursuant to section 81.4.

4. *"DNA database"* means the collection of DNA profiles and DNA records.

5. *"DNA profile"* means the objective form of the results of DNA analysis performed on a forensic sample or an individual's DNA sample. The results of all DNA identification analysis on an individual's DNA sample are also collectively referred to as the DNA profile of an individual. *"DNA profile"* also means the objective form of the results of DNA analysis performed on a forensic sample.

6. *"DNA profiling"* means the procedure for determining a person's genetic identity or for testing a forensic sample, including analysis that might not result in the establishment of a complete DNA profile.

7. *"DNA record"* means the DNA sample and DNA profile, and other records in the DNA database and DNA data bank used to identify a person.

8. *"DNA sample"* means a biological sample provided by any person required to submit a DNA sample or a DNA sample submitted for any other purpose under section 81.4.

9. *"Forensic sample"* means an evidentiary item that potentially contains DNA relevant to a crime.

10. *"Keyboard search"* means a keyboard search as defined in the national DNA index system operational procedures manual.

11. *"National DNA index system"* means a national, searchable DNA database created and maintained by the federal bureau of investigation where DNA profiles are stored and searched at a local, state, or national level.

12. *"Person required to submit a DNA sample"* means a person convicted, adjudicated delinquent, receiving a deferred judgment, or found not guilty by reason of insanity of an offense requiring DNA profiling pursuant to section 81.2. *"Person required to submit a DNA sample"* also means a person determined to be a sexually violent predator pursuant to section 229A.7.

13. *"State DNA index system"* means a state searchable DNA database created and maintained by the department of public safety where DNA profiles are stored and searched at the state level.

2005 Acts, ch 158, §1, 19; 2013 Acts, ch 107, §1, 5; 2019 Acts, ch 149, §1

Referred to in §233.4, 802.10, 915.11