

## State laws pertaining to surreptitious DNA testing

### Alabama

*Does the law restrict the collection or analysis of DNA or disclosure of results of analysis?*

Yes, in context of court-ordered testing to establish parentage.

*Code section(s) analyzed*

AL ALS 376, HB 39, 27-53-2

*How genetic testing is defined*

Genetic testing is "an analysis of genetic markers to exclude or identify a man as the father or a woman as the mother of a child."

*Is DNA defined as property or as confidential?*

No.

*To whom does the law apply and what does it prohibit/restrict?*

Any person who "intentionally releases an identifiable specimen of another individual for any purpose other than that relevant to the proceeding regarding parentage without a court order or the written permission of the individual who furnished the specimen."

*Exceptions*

No exceptions found.

*Penalties*

Violation is a Class A misdemeanor.

*Would state law prohibit surreptitious genetic testing, in particular for purposes of paternity, ancestry, and identity?*

In the context of a court proceeding to establish parentage, the law would prohibit the intentional release of an identifiable specimen for any purpose other than that relevant to the proceeding in the absence of a court order or written permission of the person who provided the specimen.