

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6720

BILL NUMBER: SB 246

NOTE PREPARED: Jan 31, 2012

BILL AMENDED: Jan 26, 2012

SUBJECT: Lab Technician Testimony in Criminal Cases.

FIRST AUTHOR: Sen. Bray

FIRST SPONSOR: Rep. Foley

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill has the following provisions:

- A. *Notice of Intent* – It requires a prosecuting attorney who intends to introduce a laboratory report into evidence to file a notice of intent at least 20 days before the trial, and requires a defendant who wishes to cross-examine the technician who prepared the laboratory report to file a pretrial demand for cross-examination not later than ten days after receiving the notice from the prosecutor.

- B. *Prohibition Against Introducing Evidence* – It prohibits a prosecuting attorney who fails to comply with the notice requirement from introducing a laboratory report into evidence without the testimony of the person who prepares the report, and provides that a defendant who does not comply with the demand requirement waives the right to confront and cross-examine the person who prepared the laboratory report.

Effective Date: July 1, 2012.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: Prosecuting Attorneys; Trial courts with criminal jurisdiction; Public Defender agencies

Information Sources:

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