

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6720**

**BILL NUMBER: SB 246**

**NOTE PREPARED: Feb 27, 2012**

**BILL AMENDED: Jan 26, 2012**

**SUBJECT:** Lab Technician Testimony in Criminal Cases.

**FIRST AUTHOR:** Sen. Bray

**FIRST SPONSOR:** Rep. Foley

**BILL STATUS:** 2<sup>nd</sup> Reading - 2<sup>nd</sup> House

**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:**

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.