



## HOUSE BILL 59: Clarify Report Admissibility

2015-2016 General Assembly

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| <b>Committee:</b>     | House Judiciary II                 | <b>Date:</b>        | March 3, 2015     |
| <b>Introduced by:</b> | Reps. Faircloth, Stam, Glazier     | <b>Prepared by:</b> | Susan Sitze       |
| <b>Analysis of:</b>   | PCS to First Edition<br>H59-CSSA-4 |                     | Committee Counsel |

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**SUMMARY:** *The Proposed Committee Substitute (PCS) for House Bill 59 clarifies the admissibility of reports of forensic and chemical analysis.*

**CURRENT LAW:** Several statutes in current law allow the admission of a statement or report of forensic or chemical analysis in a criminal trial either without the personal appearance of the analyst, or with the analyst being allowed to testify remotely. These admissions are allowed only after notice by the State of the intent to admit the statement or report and failure by the defendant to file an objection to the admission of the report.

**BILL ANALYSIS:** The PCS for House Bill 59 would amend each of the statutes allowing admission of a statement or report of forensic or chemical analysis by clarifying that if the State provides the required notice and the defendant does not object within the required time, the "objection shall be deemed waived".

**EFFECTIVE DATE:** This act is effective when it becomes law and applies to notices of intent to introduce a statement or report provided by the State on or after that date.

