

House Bill 347

By: Representatives Ralston of the 7th and Bearden of the 68th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 35-3-154.1 of the Official Code of Georgia Annotated, relating to
2 admission of reports from state crime laboratory, so as to make such Code section applicable
3 to certain private laboratories under contract to the state crime laboratory; to provide for
4 related matters; to provide an effective date; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 35-3-154.1 of the Official Code of Georgia Annotated, relating to admission
9 of reports from state crime laboratory, is amended by striking subsections (a) and (b) and
10 inserting in lieu thereof new subsections (a) and (b) to read as follows:

11 "(a) A copy of a report of the methods and findings of any examination or analysis
12 conducted by an employee of the state crime laboratory or an employee of a laboratory
13 with which the state crime laboratory has a contract for the provision of laboratory or
14 scientific examination or analysis, authenticated under oath, is prima-facie evidence in
15 court proceedings in ~~the~~ this state of the facts contained therein.

16 (b) The report shall have the effect as if the person who performed the analysis or
17 examination had personally testified and shall have an affidavit of the employee stating:

18 (1) That he or she is certified to perform the requisite analysis or examination;

19 (2) His or her experience as a chemist or analyst and as an expert witness testifying in
20 court; and

21 (3) That he or she conducted the tests shown on the report using procedures approved by
22 the ~~Bureau~~ bureau and the report accurately reflects his or her opinion regarding the
23 results."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.