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§17-2A-01.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Forensic analysis” means a medical, chemical, toxicologic, firearms, or other expert examination or test performed on physical evidence, including DNA evidence, for the purpose of determining the connection of the evidence to a criminal act.

(2) “Forensic analysis” includes an examination or test required by a law enforcement agency, prosecutor, criminal suspect or defendant, or court.

(3) “Forensic analysis” does not include:

(i) A test of a specimen of breath or blood to determine alcohol concentration or controlled dangerous substance content;

(ii) Forensic information technology;

(iii) A presumptive test performed at a crime scene;

(iv) A presumptive test performed for the purpose of determining compliance with a term or condition of community supervision or parole and conducted by or under contract with a county department of corrections or the State Department of Public Safety and Correctional Services; or

(v) An expert examination or test conducted principally for the purpose of scientific research, medical practice, civil or administrative litigation, or any other purpose unrelated to determining the connection of physical evidence to a criminal act.

(c) “Forensic information technology” means digital or electronic evidence that is stored or transmitted electronically.

(d) (1) “Forensic laboratory” means a facility, entity, or site that offers or performs forensic analysis.

(2) “Forensic laboratory” includes a laboratory owned or operated by the State, a county or municipal corporation in the State, or another governmental entity.

(3) “Forensic laboratory” does not include:

(i) A forensic laboratory operated by the federal government; or

(ii) A laboratory licensed or certified by the Department of

Agriculture.

(e) “License” means a permit, letter of exception, certificate, or other document issued by the Secretary granting approval or authority to offer or perform forensic laboratory tests, examinations, or analyses in the State.

(f) “Limited forensic analysis” means a forensic laboratory test or analysis defined in regulations adopted by the Secretary.

(g) “Physical evidence” means any object, thing, or substance relating to a criminal act.

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