

MARS/djh

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 65

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “into” and substitute “as”; in the same line, strike “as proof”; in line 5, strike “administer” and substitute “prescribe”; in line 6, after “drug” insert “; requiring the State to provide written notice to the defendant within a certain period of time that the State intends to rely on certain evidence and introduce certain evidence at a certain proceeding; requiring the State to require the presence of a certain witness upon written demand of the defendant within a certain period of time; and generally relating to the introduction of evidence of forgeries of prescriptions”.

AMENDMENT NO. 2

On page 2, in line 12, after “(G-2)” insert “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”; in line 18, strike “PROOF” and substitute “EVIDENCE”; in line 19, strike “(1)” and substitute “(I)”; in line 21, strike “(2)” and substitute “(II)”; in line 20, strike “ADMINISTER” and substitute “PRESCRIBE”; in line 23, strike “(3)” and substitute “(III)”; and after line 25, insert:

“(2) (I) IN A PROCEEDING IN WHICH THE STATE INTENDS TO INTRODUCE INTO EVIDENCE AN AFFIDAVIT AS PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE SHALL PROVIDE AT LEAST 10 DAYS’ WRITTEN NOTICE TO THE DEFENDANT THAT THE STATE INTENDS TO:

1. RELY ON THE AFFIDAVIT; AND

2. INTRODUCE THE AFFIDAVIT INTO EVIDENCE AT THE PROCEEDING.

(II) ON WRITTEN DEMAND OF A DEFENDANT FILED AT LEAST 5 DAYS PRIOR TO THE PROCEEDING DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE STATE SHALL REQUIRE THE PRESENCE OF THE AFFIANT AS A PROSECUTION WITNESS.”.