

HB0863/793520/1

BY: Judiciary Committee

AMENDMENTS TO HOUSE BILL 863
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Forensic Analysis**” and substitute “**Courts – Expert Witnesses**”; in the same line, strike “– **Criminal Proceedings**”; in line 3, strike “the Secretary of Health” and substitute “a court”; in line 4, strike “who is” and substitute “as an expert witness if the individual is”; and after line 6, insert:

“BY adding to

Article - Courts and Judicial Proceedings

Section 9-120.1

Annotated Code of Maryland

(2020 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“Article – Courts and Judicial Proceedings

9-120.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FORENSIC LABORATORY” HAS THE MEANING STATED IN § 17-2A-01 OF THE HEALTH – GENERAL ARTICLE.

(3) “PHYSICAL EVIDENCE” HAS THE MEANING STATED IN § 17-2A-01 OF THE HEALTH – GENERAL ARTICLE.

(B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COURT MAY NOT REQUIRE AN INDIVIDUAL TO RECEIVE A LETTER OF EXCEPTION FROM THE SECRETARY OF HEALTH UNDER § 17-2A-04(B) OF THE HEALTH – GENERAL ARTICLE TO TESTIFY AS AN EXPERT WITNESS IN A CRIMINAL PROCEEDING IF THE INDIVIDUAL IS:

(1) REVIEWING THE DATA, OPINION, INTERPRETATION, OR CONCLUSION OF ANOTHER EXPERT WITNESS OR FORENSIC LABORATORY; AND

(2) NOT HANDLING ANY PHYSICAL EVIDENCE.”.

On page 3, strike in their entirety lines 10 through 14, inclusive; in line 15, strike the brackets; and in the same line strike “(D)”.