

2007 SESSION

INTRODUCED

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HOUSE BILL NO. 2790

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend and reenact § 19.2-187.1 of the Code of Virginia, relating to right to examine person performing analysis or involved in chain of custody.

Patron—Gilbert

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-187.1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-187.1. Right to examine person performing analysis or involved in chain of custody.

The accused in any hearing or trial in which a certificate of analysis is admitted into evidence pursuant to § 19.2-187 or § 19.2-187.01 shall have the right to call the person performing such analysis or examination or involved in the chain of custody as a witness therein, and examine him in the same manner as if he had been called as an adverse witness. *The accused shall make a written request, within 10 days of the filing of the certificate of analysis or at least three days prior to the hearing or trial, whichever is earlier, to the Clerk of Court, with notice to the attorney for the Commonwealth, for the presence of the person who performed any analysis or examination or was involved in the chain of custody.* Such witness shall be summoned and appear at the cost of the Commonwealth.

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