

2007 SESSION

HOUSE SUBSTITUTE

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HOUSE BILL NO. 2790

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice  
on February 2, 2007)

(Patron Prior to Substitute—Delegate Gilbert)

*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.*

**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. Such witness shall be summoned and appear at the cost of the Commonwealth. *If the accused exercises his right pursuant to this section to call as a witness the person who performed the analysis or examination or was involved in the chain of custody and the witness is unavailable, the defendant shall be entitled to continue the hearing or trial.*

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