

2 **SHB 6055 - H AMD 0284 ADOPTED 3/3/92**

3 By Representative Ludwig

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43 RCW
8 to read as follows:

9 (1) In all prosecutions involving the analysis of a controlled
10 substance or a sample of a controlled substance by the crime laboratory
11 system of the state patrol, a certified copy of the analytical report
12 signed by the supervisor of the state patrol's crime laboratory or the
13 forensic scientist conducting the analysis is prima facie evidence of
14 the results of the analytical findings.

15 (2) The defendant or a prosecutor may subpoena the forensic
16 scientist who conducted the analysis of the substance to testify at the
17 preliminary hearing and trial of the issue at no cost to the defendant,
18 if the subpoena is issued at least ten days prior to the trial date."

19 "NEW SECTION. **Sec. 2.** (1) When a person has been adjudged
20 guilty of violating any criminal statute of this state and a crime
21 laboratory analysis was performed by a state crime laboratory, in
22 addition to any other disposition, penalty, or fine imposed, the court
23 shall levy a crime laboratory analysis fee of one hundred dollars for
24 each offense for which the person was convicted. Upon a verified
25 petition by the person assessed the fee, the court may suspend payment
26 of all or part of the fee if it finds that the person does not have the
27 ability to pay the fee.

1 (2) When a minor has been adjudicated a juvenile offender for an
2 offense which, if committed by an adult, would constitute a violation
3 of any criminal statute of this state and a crime laboratory analysis
4 was performed, in addition to any other disposition imposed, the court
5 shall assess a crime laboratory analysis fee of one hundred dollars for
6 each adjudication. Upon a verified petition by a minor assessed the
7 fee, the court may suspend payment of all or part of the fee it finds
8 that the minor does not have the ability to pay the fee.

9 (3) All crime laboratory analysis fees assessed under this section
10 shall be collected by the clerk of the court and forwarded to the state
11 general fund, to be used only for crime laboratories. The clerk may
12 retain five dollars to defray the costs of collecting the fees."

13 "NEW SECTION. Sec. 3. Sections 1 and 2 of this act are each
14 added to chapter 43.43 RCW."

15 **SHB 6055** - H AMD
16 By Representative Appelwick

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18 On page 1, line 1 of the title, after "patrol;" strike the
19 remainder of the title and insert "adding new sections to chapter 43.43
20 RCW; and prescribing penalties."