

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6055

Chapter 129, Laws of 1992

52nd Legislature
1992 Regular Session

STATE CRIME LABORATORY REPORT AS EVIDENCE IN
CONTROLLED SUBSTANCES PROSECUTIONS

EFFECTIVE DATE: 6/11/92

Passed by the Senate March 8, 1992
Yeas 47 Nays 0

JOEL PRITCHARD

President of the Senate

Passed by the House March 3, 1992
Yeas 96 Nays 0

JOE KING

**Speaker of the
House of Representatives**

Approved March 31, 1992

BOOTH GARDNER

Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6055** as passed by the Senate and the House of Representatives on the dates hereon set forth.

GORDON A. GOLOB

Secretary

FILED

March 31, 1992 - 12:30 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6055

AS AMENDED BY THE HOUSE

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen and Newhouse)

Read first time 01/23/92.

1 AN ACT Relating to the crime laboratory system of the state patrol;
2 adding new sections to chapter 43.43 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43 RCW
5 to read as follows:

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

12 (2) The defendant or a prosecutor may subpoena the forensic
13 scientist who conducted the analysis of the substance to testify at the

1 preliminary hearing and trial of the issue at no cost to the defendant,
2 if the subpoena is issued at least ten days prior to the trial date.

3 NEW SECTION. **Sec. 2.** (1) When a person has been adjudged
4 guilty of violating any criminal statute of this state and a crime
5 laboratory analysis was performed by a state crime laboratory, in
6 addition to any other disposition, penalty, or fine imposed, the court
7 shall levy a crime laboratory analysis fee of one hundred dollars for
8 each offense for which the person was convicted. Upon a verified
9 petition by the person assessed the fee, the court may suspend payment
10 of all or part of the fee if it finds that the person does not have the
11 ability to pay the fee.

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

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

24 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act are each
25 added to chapter 43.43 RCW.

Passed the Senate March 8, 1992.
Passed the House March 3, 1992.
Approved by the Governor March 31, 1992.
Filed in Office of Secretary of State March 31, 1992.