
Community Safety Committee

HB 1228

Brief Description: Concerning toxicology testing by certified or accredited laboratories.

Sponsors: Representatives Hackney and Barkis.

Brief Summary of Bill

- Establishes the validity of blood and breath analyses conducted by laboratories certified or accredited pursuant to specified international standards.

Hearing Date: 1/27/25

Staff: Corey Patton (786-7388).

Background:

The state toxicologist is responsible for approving satisfactory techniques or methods for blood and breath analyses, supervising the examination of individuals to ascertain their qualifications and competence, and issuing permits. To be considered valid under state law, including for use in criminal and civil proceedings related to Driving Under the Influence and Physical Control offenses, the analysis of a person's blood or breath must be performed by an individual possessing a valid permit and according to methods approved by the state toxicologist.

The International Organization for Standardization (ISO) is a nongovernmental organization that develops and promotes international standards for various sectors, including standards for technology, scientific testing processes, and working conditions. The ISO's membership includes national standards bodies from over 160 countries, including the United States. The International Electrotechnical Commission (IEC) is a nongovernmental organization that provides a platform for standardization and conformity assessments, and publishes international

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standards related to electrical and electronic technologies. The ISO and the IEC jointly develop, publish, and revise the ISO/IEC 17025 document, which provides international standards for testing and calibration laboratories and sets out requirements for the competence, impartiality, and consistent operation of such laboratories. The ISO/IEC 17025 document was last revised in 2017.

Summary of Bill:

The analysis of a person's blood or breath is considered valid under state law if the analysis is conducted by either:

- an individual possessing a valid permit and employing methods approved by the state toxicologist; or
- a laboratory certified or accredited pursuant to the International Organization for Standardization and the International Electrotechnical Commission's ISO/IEC 17025 standard for forensic toxicology testing.

Appropriation: None.

Fiscal Note: Requested on January 21, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.