
DIGEST

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Hazel

HB No. 349

Abstract: Authorizes the use of an out-of-state lab for purposes of conducting chemical analyses of a person's blood, urine, breath, or other bodily substance.

Present law provides for chemical analyses of the person's blood, urine, breath, or other bodily substance, to be considered valid, shall have been performed according to methods approved and promulgated by DPS&C and performed by an individual possessing a valid permit issued by the department.

Present law provides for authorization for the DOTD to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the department in accordance with regulations approved and promulgated by the department pursuant to the Administrative Procedure Act.

Proposed law maintains present law but also provides for authorization to use an out-of-state lab to conduct chemical analyses of a person's blood, urine, breath, or other bodily substance, provided that the chemical analyses is performed in accordance with the methods approved and promulgated by DPS&C and performed by an individual possessing a valid permit.

Proposed law provides that any chemical lab analyses of a person's blood, urine, breath, or other bodily substance, performed by an out-of-state laboratory, shall be considered valid, and admissible and competent evidence of intoxication in any court of law.

(Amends R.S. 32:663(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill.

1. Adds a provision that any chemical lab analyses by an out-of-state laboratory shall be considered valid under the provisions of this Part and admissible and competent evidence of intoxication in any court of law.