

10-306.

(a) Subject to the provisions of subsection (b) OF THIS SECTION, in any criminal trial in which intoxication due to the consumption of alcohol, or being under the influence of alcohol, is an issue, an official copy of the results of a chemical test of breath or blood administered by a person authorized to administer the test, is admissible as substantive evidence without the presence or testimony of the technician who administered the test.

(b) (1) If the State decides to offer the test results without the testimony of the technician, it shall, at least 15 20 days before trial, notify the defendant or his attorney in writing of its intention and deliver to the defendant or his attorney a copy of the test results to be offered.

(2) If the defendant desires the technician to be present and testify at trial, [he] THE DEFENDANT shall notify the court and the State in writing no later than [5 business] 10 days before trial. [; and if] IF such timely and proper notice is given, the test results are inadmissible without the testimony of the technician.

(3) Failure to give timely and proper notice constitutes a waiver of the defendant's right to the presence and testimony of the technician.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984.

Approved May 15, 1984.

CHAPTER 442

(House Bill 765)

AN ACT concerning

Interception of Communications - Controlled
Dangerous Substances

FOR the purpose of permitting law enforcement officials to intercept a wire or oral communication in order to obtain evidence in certain controlled dangerous substances offenses relating to drug paraphernalia and distribution of noncontrolled substances as controlled dangerous substances.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings