

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.

CHAPTER 719

(House Bill 1093)

AN ACT concerning

Witnesses - Chain of Custody

FOR the purpose of limiting the witnesses whom the prosecution is required to present to establish a certain chain of custody; defining a certain term; making stylistic changes; and generally relating to altering the prosecution witnesses whose presence is required to establish a certain chain of custody.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 10-1002 and 10-1003
Annotated Code of Maryland
(1984 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Court and Judicial Proceedings

10-1002.

(A) IN THIS PART:

(1) "CHAIN OF CUSTODY" MEANS:

(I) THE SEIZING OFFICER;

(II) THE PACKAGING OFFICER, IF THE PACKAGING OFFICER IS NOT ALSO THE SEIZING OFFICER; AND

(III) THE CHEMIST OR OTHER PERSON WHO ACTUALLY TOUCHED THE SUBSTANCE AND NOT MERELY THE OUTER SEALED PACKAGE IN WHICH THE SUBSTANCE WAS PLACED BY THE LAW ENFORCEMENT AGENCY BEFORE OR DURING THE ANALYSIS OF THE SUBSTANCE; AND