

(2) "CHAIN OF CUSTODY" DOES NOT INCLUDE A PERSON WHO HANDLED THE SUBSTANCE IN ANY FORM AFTER ANALYSIS OF THE SUBSTANCE.

(B) (1) For the purpose of establishing, in a criminal or civil proceeding, the chain of physical custody or control of evidence consisting of or containing a substance tested or analyzed to determine whether it is a controlled dangerous substance defined under Article 27 of this Code, a statement signed by each successive [officer or other person having the custody of the evidence that he] PERSON IN THE CHAIN OF CUSTODY THAT THE PERSON delivered it to the OTHER person indicated on or about the date stated is prima facie evidence that the person had custody and made the delivery as stated, without the necessity of a personal appearance in court by the person signing the statement.

(2) The statement shall contain a sufficient description of the material or its container so as to distinguish it as the particular item in question and shall state that the material was delivered in essentially the same condition as received.

(3) The statement may be placed on the same document as the report provided for in § 10-1001 OF THIS PART.

(4) Nothing in this section precludes the right of any party to introduce any evidence supporting or contradicting the evidence contained in or the presumption raised by the statement.

10-1003.

(A) (1) In a criminal proceeding, the prosecution shall, upon written demand of a defendant filed in the proceedings at least [five] 5 days prior to a trial in the proceeding, require the presence of the chemist, analyst, or any person in the chain of custody as a prosecution witness.

(2) The provisions of §§ 10-1001 and 10-1002 OF THIS PART concerning prima facie evidence do not apply to the testimony of that witness.

(3) The provisions of §§ 10-1001 and 10-1002 OF THIS PART are applicable in a criminal proceeding only when a copy of the report or statement to be introduced is mailed, delivered, or made available to counsel for the defendant or to the defendant personally when [he] THE DEFENDANT is not represented by counsel, at least [ten] 10 days prior to the introduction of the report or statement at trial.