

- (j) "Secretary" means the Secretary of Health and Mental Hygiene.

SUBTITLE 2A. FORENSIC LABORATORIES.

17-2A-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "FORENSIC ANALYSIS" MEANS A MEDICAL, CHEMICAL, TOXICOLOGIC, ~~BALLISTIC~~ FIREARMS, OR OTHER EXPERT EXAMINATION OR TEST PERFORMED ON PHYSICAL EVIDENCE, INCLUDING DNA EVIDENCE, FOR THE PURPOSE OF DETERMINING THE CONNECTION OF THE EVIDENCE TO A CRIMINAL ACT.

(2) "FORENSIC ANALYSIS" INCLUDES AN EXAMINATION OR TEST REQUIRED BY A LAW ENFORCEMENT AGENCY, PROSECUTOR, CRIMINAL SUSPECT OR DEFENDANT, OR COURT.

(3) "FORENSIC ANALYSIS" DOES NOT INCLUDE:

(I) A TEST OF A SPECIMEN OF BREATH OR BLOOD TO DETERMINE ALCOHOL CONCENTRATION OR CONTROLLED DANGEROUS SUBSTANCE CONTENT;

(II) FORENSIC INFORMATION TECHNOLOGY;

(III) ~~FORENSIC FIELD TESTS~~ A PRESUMPTIVE TEST PERFORMED AT A CRIME SCENE;

(IV) A PRESUMPTIVE TEST PERFORMED FOR THE PURPOSE OF DETERMINING COMPLIANCE WITH A TERM OR CONDITION OF COMMUNITY SUPERVISION OR PAROLE AND CONDUCTED BY OR UNDER CONTRACT WITH A COUNTY DEPARTMENT OF CORRECTIONS OR THE STATE DEPARTMENT OF ~~CORRECTIONS~~ PUBLIC SAFETY AND CORRECTIONAL SERVICES; OR

(V) AN EXPERT EXAMINATION OR TEST CONDUCTED PRINCIPALLY FOR THE PURPOSE OF SCIENTIFIC RESEARCH, MEDICAL PRACTICE, CIVIL OR ADMINISTRATIVE LITIGATION, OR ANY OTHER PURPOSE UNRELATED TO DETERMINING THE CONNECTION OF PHYSICAL EVIDENCE TO A CRIMINAL ACT.