

~~THE SECRETARY SHALL ADOPT REGULATIONS THAT SET QUALIFICATIONS FOR THE PERSONNEL OF FORENSIC LABORATORIES.~~

~~17-2A-06.~~

~~THE SECRETARY:~~

~~(1) SHALL SET LICENSING FEES FOR FORENSIC LABORATORIES IN ACCORDANCE WITH § 2-104 OF THIS ARTICLE; AND~~

~~(2) MAY SET A FEE FOR THE PROFICIENCY TESTING PROGRAM.~~

~~17-2A-07.~~

~~ON OR AFTER SEPTEMBER 1, 2009, A PERSON SHALL HOLD A LICENSE ISSUED BY THE SECRETARY BEFORE THE PERSON MAY OFFER OR PERFORM FORENSIC LABORATORY TESTS, EXAMINATIONS, OR ANALYSES IN THE STATE.~~

(A) FORENSIC LABORATORY DEFICIENCY STATEMENTS AND PLANS OF CORRECTION ARE PUBLIC DOCUMENTS.

(B) A FORENSIC LABORATORY SHALL MAKE DISCREPANCY LOGS, CONTAMINATION RECORDS, ~~PROFICIENCY TESTS,~~ AND TEST RESULTS AVAILABLE TO THE PUBLIC WITHIN 30 DAYS OF A WRITTEN REQUEST.

(C) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THE PROCEEDINGS, RECORDS, AND FILES OF AN ORGANIZATION OR STATE AGENCY RESPONSIBLE FOR ASSURING COMPLIANCE WITH THIS SUBTITLE SHALL BE CONFIDENTIAL AND NOT DISCOVERABLE OR ADMISSIBLE IN EVIDENCE IN A CIVIL OR CRIMINAL ACTION.

~~17-2A-04.~~

(A) AFTER DECEMBER 31, 2011, A PERSON ~~FORENSIC LABORATORY~~ SHALL HOLD A LICENSE ISSUED BY THE SECRETARY BEFORE THE PERSON ~~FORENSIC LABORATORY~~ MAY OFFER OR PERFORM FORENSIC ANALYSIS IN THE STATE.

(B) THE SECRETARY SHALL ISSUE A LETTER OF EXCEPTION TO A LABORATORY THAT:

(1) PERFORMS ONLY LIMITED FORENSIC ANALYSIS; AND