

1 1. A report of the findings of the laboratory of the Oklahoma
2 State Bureau of Investigation, the Federal Bureau of Investigation
3 or the Drug Enforcement Administration;

4 2. The report of investigation or autopsy report of the medical
5 examiner;

6 3. A laboratory report from a forensic laboratory operated by
7 this state or any political subdivision thereof, or from a
8 laboratory performing analysis at the request of a forensic
9 laboratory operated by this state or any political subdivision
10 thereof;

11 4. A report from the Oklahoma State Bureau of Narcotics and
12 Dangerous Drugs Control or the electronic methamphetamine precursor
13 tracking service provider as set forth in the Uniform Controlled
14 Dangerous Substances Act as to the existence or status of any
15 license or permit to sell, transfer, or possess precursor substances
16 or any report containing data collected and required to be
17 transmitted by a registrant to the Oklahoma State Bureau of
18 Narcotics and Dangerous Drugs Control Central Repository pursuant to
19 the provisions of the Anti-Drug Diversion Act as set forth under the
20 Uniform Controlled Dangerous Substances Act; or

21 5. A report from the Department of Public Safety as to the
22 handling and storage of evidence, which has been made available to
23 the accused by the office of the district attorney at least five (5)
24 days prior to the hearing, with reference to all or any part of the

1 evidence submitted, when certified as correct by the persons making
2 the report shall be received as evidence of the facts and findings
3 stated, if relevant and otherwise admissible in evidence. If a
4 report is deemed relevant by the state or the accused, the court
5 shall admit the report without the testimony of the person making
6 the report, unless the court, pursuant to subsection C of this
7 section, orders the person making the report to appear. If the
8 accused is not served with a report, by the district attorney,
9 within five (5) days prior to a hearing, the accused may be allowed
10 a continuance of the portion of the hearing to which the report is
11 relevant, to allow at least five (5) days' preparation subsequent to
12 the district attorney's furnishing of the report.

13 B. When any alleged controlled dangerous substance has been
14 submitted to the laboratory of the Bureau for analysis, and such
15 analysis shows that the submitted material is a controlled dangerous
16 substance, the distribution of which constitutes a felony under the
17 laws of this state, no portion of such substance shall be released
18 to any other person or laboratory without an order of a district
19 court. The defendant shall additionally be required to submit to
20 the court a procedure for transfer and analysis of the subject
21 material to ensure the integrity of the sample and to prevent the
22 material from being used in any illegal manner.

23 C. For purposes of the medical examiner's report of
24 investigation or autopsy report, or a laboratory report from a

1 forensic laboratory operated by the State of Oklahoma or any
2 political subdivision thereof or a report from the Oklahoma State
3 Bureau of Narcotics and Dangerous Drugs Control as to the existence
4 or status of any license or permit to sell, transfer, or possess
5 precursor substances:

6 1. The court, upon motion of the state or the accused, shall
7 order the attendance of any person preparing a report submitted as
8 evidence in any hearing prior to trial or forfeiture hearing, when
9 it appears there is a substantial likelihood that material evidence
10 not contained in such report may be produced by the testimony of the
11 person having prepared the report;

12 2. The motion shall be filed and notice of the hearing on the
13 motion to order the attendance of the Chief Medical Examiner, a
14 medical examiner, consultant pathologist, or anyone under their
15 supervision or control shall be given to the medical examiner's
16 office. The hearing shall be held and, if sustained, an order
17 issued not less than five (5) days prior to the time when the
18 testimony shall be required; and

19 3. If within five (5) days prior to the hearing or during a
20 hearing a motion is made pursuant to this subsection requiring a
21 person having prepared a report to testify, the court may hear a
22 report or other evidence but shall continue the hearing until such
23 time notice of the motion and hearing is given to the medical
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1 examiner's office, the motion is heard, and, if sustained, testimony
2 ordered can be given.

3 SECTION 2. This act shall become effective November 1, 2019.
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5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 04/02/2019 - DO
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