

Amend CSHB 2703 as follows:

(1) On page 1, line 2, strike "and" and substitute "or".

(2) On page 1, line 11, strike "and" and substitute "or  
[~~and~~]".

(3) On page 1, at the end of line 14, add the following:

"The term does not include:

(A) latent print examination;

(B) a test of a specimen of breath under Chapter 724,  
Transportation Code; or

(C) an examination or test excluded by rule under  
Section 411.0205(c), Government Code."

(4) On page 2, line 1, strike "admissible" and substitute  
"not inadmissible".

(5) On page 2, line 2, strike "regardless of" and substitute  
"based solely on".

(6) On page 2, lines 9 and 10, strike "September 1, 2005" and  
substitute "January 1, 2004".

(7) On page 2, lines 11 through 20, strike SECTION 4 and  
substitute the following:

SECTION 4. Subchapter A, Chapter 411, Government Code, is  
amended by adding Section 411.0205 to read as follows:

Sec. 411.0205. CRIME LABORATORY ACCREDITATION PROCESS. (a)  
In this section, "forensic analysis" and "physical evidence" have  
the meanings assigned by Article 38.35, Code of Criminal Procedure,  
and "DNA laboratory" has the meaning assigned by Section 411.141.

(b) The director by rule shall establish an accreditation  
process for crime laboratories, including DNA laboratories, and  
other entities conducting forensic analyses of physical evidence  
for use in criminal proceedings.

(c) The director by rule may exempt from the accreditation  
process established under Subsection (b) a crime laboratory or  
other entity conducting a forensic analysis of physical evidence  
for use in criminal proceedings if the director determines that:

(1) independent accreditation is unavailable or  
inappropriate for the laboratory or entity or the type of  
examination or test performed by the laboratory or entity;

(2) the type of examination or test performed by the

laboratory or entity is admissible under a well-established rule of evidence or a statute other than Article 38.35, Code of Criminal Procedure; and

(3) the type of examination or test performed by the laboratory or entity is routinely conducted outside of a crime laboratory or other applicable entity by a person other than an employee of the crime laboratory or other applicable entity.