

Amend SB 1660 (house committee report) as follows:

(1) On page 1, line 6, strike "Subsection (c-1)" and substitute "Subsections (c-1), (i), (j), (k), and (l)".

(2) On page 2, between lines 11 and 12, insert the following:

(i) Before destroying toxicological evidence, an entity or individual charged with storing the evidence shall send notice by certified mail, return receipt requested, of the individual or entity's intent to destroy the evidence to:

(1) the defendant convicted of or child adjudicated as having engaged in conduct constituting the offense for which the evidence was collected; and

(2) the defendant's or child's attorney of record, if applicable, at the address on file with the court for the attorney.

(j) The notice required by Subsection (i) shall be sent to the defendant or child at:

(1) the last known address of the defendant or child, if the defendant or child is not serving a term of confinement; or

(2) the facility where the defendant or child is confined, if the defendant or child is serving a term of confinement.

(k) Notwithstanding Subsection (e) and subject to Subsection (l), an entity or individual charged with storing toxicological evidence may not destroy the evidence before the earlier of:

(1) the 120th day after the date the notice required by Subsection (i) was received by the defendant or child, if the defendant or child is not serving a term of confinement; or

(2) the first anniversary of the date the defendant or child received the notice required by Subsection (i), if the defendant or child is serving a term of confinement.

(l) Notwithstanding any other provision of this article, an entity or individual charged with storing toxicological evidence may not destroy the evidence if the defendant convicted of or child adjudicated as having engaged in conduct constituting the offense for which the evidence was collected, or the defendant's or child's attorney, submits a written objection to the destruction of the

evidence to the entity or individual unless the objection is  
withdrawn in writing.