

Presented to the governor March 26, 2002

Signed by the governor March 27, 2002, 3:38 p.m.

CHAPTER 301—S.F.No. 3244

An act relating to evidence; authorizing electronic signature on certain laboratory blood sample reports; amending Minnesota Statutes 2000, section 634.15, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2000, section 634.15, subdivision 1, is amended to read:

Subdivision 1. **CERTIFICATES OF ANALYSIS; BLOOD SAMPLE REPORTS.** In any hearing or trial of a criminal offense or petty misdemeanor or proceeding pursuant to section 169A.53, subdivision 3, the following reports shall be admissible in evidence:

(a) A report of the facts and results of a laboratory analysis or examination if it is prepared and attested by the person performing the laboratory analysis or examination in any laboratory operated by the bureau of criminal apprehension or authorized by the bureau to conduct an analysis or examination, or in any laboratory of the federal bureau of investigation, the federal postal inspection service, the federal bureau of alcohol, tobacco and firearms, or the federal drug enforcement administration; and

(b) A report of a blood sample withdrawn under the implied consent law if:

(i) The report was prepared by the person who administered the test;

(ii) The person who withdrew the blood sample was competent to administer the test under section 169A.51, subdivision 7; and

(iii) The report was prepared consistent with any applicable rules promulgated by the commissioner of public safety.

A report described in clause (a) purported to be signed by the person performing the analysis or examination in a laboratory named in that clause, or a blood sample report described in clause (b) purported to be signed by the person who withdrew the blood sample shall be admissible as evidence without proof of the seal, signature or official character of the person whose name is signed to it. The signature in clause (a) or (b) can be written or in electronic format.

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New language is indicated by underline, deletions by ~~strikeout~~.