

HB 3364 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Adrienne Anderson, LPRO Analyst

Meeting Dates: 3/14

WHAT THE MEASURE DOES:

Requires a Department of State Police forensic laboratory to test a person's blood or urine for the presence of alcohol, cannabis, or a controlled substance within 90 days of receiving the sample in a prosecution for driving while under the influence of intoxicants (DUII).

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Takes effect January 1, 2025.

BACKGROUND:

When a person is arrested for a DUII, the person can consent to having their blood drawn or producing a urine sample, or the law enforcement officer can request and obtain a warrant for the person's blood to test for alcohol or controlled substances. That blood or urine sample is sent to the Department of State Police (OSP) forensic laboratory to conduct an analysis for the presence of alcohol or controlled substances. OSP has a limited capability to test for controlled substances in the blood. Currently there is no requirement that OSP conduct the analysis in a specified period of time.

Senate Bill 3364 would require the OSP laboratory to test a person's blood or urine for alcohol, cannabis, or a controlled substance within 90 days of receiving the sample in a prosecution for a DUII.