

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 483
Second Edition Engrossed 5/9/11
PROPOSED SENATE COMMITTEE SUBSTITUTE H483-PCS70304-SA-72

Short Title: DNA Samples/Additional Felonies.

(Public)

Sponsors:

Referred to:

March 29, 2011

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE LIST OF FELONIES FOR WHICH A DNA SAMPLE SHALL BE TAKEN UPON ARREST, TO APPROPRIATE FUNDS TO FACILITATE THE EXPANSION, AND TO RESTRICT THE EXPENDITURE OF STATE FUNDS ON ACCREDITATION OF THE STATE CRIME LABORATORY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15A-266.3A(f) reads as rewritten:

"(f) This section shall apply to a person arrested for violating any one of the following offenses in Chapter 14 of the General Statutes:

- (1) G.S. 14-17, First and Second Degree Murder.
- (2) G.S. 14-18, Manslaughter.
- (3) Any offense in Article 7A, Rape and Other Sex Offenses.
- (4) G.S. 14-32, Felonious assault with deadly weapon with intent to kill or inflicting serious injury; G.S. 14-32.1(e), Assault on handicapped person; G.S. 14-32.2, Patient abuse and neglect; G.S. 14-32.4(a), Assault inflicting serious bodily injury; G.S. 14-34.1, Discharging certain barreled weapons or a firearm into occupied property; G.S. 14-34.2, Assault with a firearm or other deadly weapon upon governmental officers or employees, company police officers, or campus police officers; G.S. 14-34.4, Adulterated or misbranded food, drugs, or cosmetics; intent to cause serious injury or death; intent to extort; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency medical technician, medical responder, emergency department nurse, or emergency department physician; and G.S. 14-34.7, Assault inflicting serious injury on a law enforcement, probation, or parole officer or on a person employed at a State or local detention facility; and G.S. 14-34.9, Discharging a weapon from within an enclosure.
- (5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A, Human Trafficking.
- (5a) Any offense in Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material.
- (5b) G.S. 14-50.18, Soliciting; encouraging participation of minor.



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- 1 (6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of
2 dwelling house burglary; G.S. 14-54.1, Breaking or entering a place of
3 religious worship; and G.S. 14-57, Burglary with explosives.
4 (7) Any offense in Article 15, Arson.
5 (8) G.S. 14-87, Armed ~~robbery~~ robbery and; G.S. 14-87.1, Punishment for
6 common law robbery.
7 (8a) G.S. 14-190.7, Dissemination to minors under the age of 16 years; and
8 G.S. 14-190.8, Dissemination to minors under the age of 13 years.
9 (9) Any offense which would require the person to register under the provisions
10 of Article 27A of Chapter 14 of the General Statutes, Sex Offender and
11 Public Protection Registration Programs.
12 (10) G.S. 14-196.3, Cyberstalking.
13 (10a) G.S. 14-208.44(a) and (b), Failure to enroll in a satellite-based monitoring
14 program; tampering with device.
15 (11) G.S. 14-277.3A, Stalking.
16 (12) G.S. 14-315(a1), Selling or giving weapons (handguns) to minors.
17 (13) G.S. 14-318.4, Child abuse a felony.
18 (14) G.S. 14-320.1, Transporting child outside the State with intent to violate
19 custody order.
20 (15) Any felony offense under G.S. 14-321.1, Prohibit babysitting service by sex
21 offender or in the home of a sex offender.
22 (16) G.S. 14-322.1, Abandonment of child or children for six months.
23 (17) G.S. 90-95(h), Trafficking in a controlled substance."

24 **SECTION 2.** There is appropriated from the General Fund to the Department of
25 Justice the sum of sixty-nine thousand nine hundred thirty-four dollars (\$69,934) for fiscal year
26 2012-2013 to be allocated to the State Bureau of Investigation for testing and analysis of the
27 DNA samples required by this act.

28 **SECTION 3.** The State Crime Laboratory shall seek the accreditation required by
29 G.S. 8-58.20 and G.S. 20-139.1 from a single accrediting body. No State funds shall be spent
30 for fiscal year 2011-2012 or fiscal year 2012-2013 to obtain a second accreditation of the State
31 Crime Laboratory that is duplicative or unnecessary.

32 **SECTION 4.** Section 1 of this act becomes effective December 1, 2012, and
33 applies to offenses committed on or after that date. Section 2 of this act becomes effective July
34 1, 2012. The remainder of this act is effective when it becomes law.