

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30307-LHa-55C (02/09)

Short Title: Law Enforcement Inventory SAECKs. (Public)

Sponsors: Representative W. Richardson.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING LAW ENFORCEMENT AGENCIES TO CONDUCT AN
3 INVENTORY OF UNTESTED SEXUAL ASSAULT EVIDENCE COLLECTION KITS
4 IN THEIR CUSTODY OR CONTROL.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 13 of Chapter 15A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 15A-270.10. Inventory and report of Sexual Assault Evidence Collection Kits.**

9 (a) Local law enforcement. – Each local law enforcement agency shall conduct an
10 inventory of Sexual Assault Evidence Collection Kits (SAECKs) in its custody or control and
11 report its findings to the Department of Justice, State Crime Laboratory, no later than January
12 1, 2018. The State Crime Laboratory shall compile the information and report its findings to the
13 Joint Legislative Oversight Committee on Justice and Public Safety no later than April 1, 2018.
14 The inventory report from each local law enforcement agency shall include all of the following:

- 15 (1) The total number of SAECKs in its custody or control that have not
16 previously undergone forensic testing.
17 (2) Of the total number of SAECKs in its custody or control, the number that:
18 a. Are anonymous. For purposes of this section, the term "anonymous"
19 means the identity of the victim of sexual assault is not associated
20 with the SAECK because the victim has not reported the assault to
21 law enforcement.
22 b. Represent a case that has been resolved in court, whether by
23 conviction, dismissal, or another manner.
24 c. Were not submitted for forensic testing because the suspect admitted
25 to the sexual act in question.
26 d. Were not submitted for forensic testing because the allegations were
27 determined to be unfounded as a result of further investigation.

28 (b) Department of Public Safety. – The Law Enforcement Support Services Office
29 (LESS) of the Department of Public Safety shall conduct an inventory of all SAECKs in its
30 custody without regard to the age of the kits. LESS shall report its findings to the Department
31 of Justice, State Crime Laboratory, no later than January 1, 2018. The State Crime Laboratory
32 shall compile the information and report its findings to the Joint Legislative Oversight
33 Committee on Justice and Public Safety no later than April 1, 2018."

34 SECTION 2. There is appropriated from the General Fund to the Department of
35 Justice, State Crime Laboratory, the sum of six hundred ninety-nine thousand four hundred
36 eighty-four dollars (\$699,484) in recurring funds for each year of the 2017-2019 biennium. In



1 each year of the biennium, the sum of two hundred fourteen thousand seven hundred
2 seventy-six dollars (\$214,776) shall be used to purchase (i) equipment to be used for forensic
3 testing of Sexual Assault Evidence Collection Kits and (ii) inventory tracking software, and the
4 sum of four hundred eighty-four thousand seven hundred eight dollars (\$484,708) shall be used
5 to purchase DNA scientific supplies needed for forensic testing of Sexual Assault Evidence
6 Collection Kits.

7 **SECTION 3.** Section 2 of this act becomes effective July 1, 2017. The remainder
8 of this act is effective when it becomes law.