

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 703
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40357-ND-142

Short Title: Provide Rape Kit Status Updates to Victims.

(Public)

Sponsors: Representative von Haefen.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO GIVE RIGHTS OF INFORMATION AND NOTIFICATION TO VICTIMS
3 REGARDING SEXUAL ASSAULT EXAMINATION KITS.

4 The General Assembly of North Carolina enacts:

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

7 "**§ 15A-266.5B. Statewide sexual assault examination kit victim notification.**

8 (a) Victim Right to Information. – A victim for whom a sexual assault examination kit is
9 submitted to the State Crime Laboratory or a laboratory approved by the State Crime Laboratory
10 pursuant to the testing protocols of G.S. 15A-266.5A shall have a right to know the current status
11 regarding the testing of the victim's sexual assault examination kit.

12 The State Crime Laboratory shall develop procedures by which victims may exercise the
13 right created under this subsection.

14 (b) Victim Right to Notification. – A victim for whom a sexual assault examination kit is
15 submitted to the State Crime Laboratory or a laboratory approved by the State Crime Laboratory
16 pursuant to the testing protocols of G.S. 15A-266.5A shall have a right to be notified in each of
17 the following circumstances:

18 (1) When a determination is made that the victim's sexual assault examination kit
19 is unable to be tested.

20 (2) When a decision is made not to test the victim's sexual assault examination kit
21 for a reason other than that found in subdivision (1) of this subsection.

22 (3) When a decision is made to destroy the victim's sexual assault examination
23 kit.

24 The State Crime Laboratory shall develop procedures by which victims will be notified
25 pursuant to this subsection, including the manner in which victim contact information will be
26 gathered by the State Crime Laboratory or a laboratory approved by the State Crime Laboratory
27 and the method or methods by which victims will be notified. It shall be the responsibility of the
28 victim to ensure that the State Crime Laboratory or a laboratory approved by the State Crime
29 Laboratory has the victim's required and current contact information."

30 **SECTION 2.** This act becomes effective October 1, 2023, and applies to sexual
31 assault examination kits submitted before, on, or after that date.

