

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 483
Second Edition Engrossed 5/9/11

Short Title: DNA Samples/Additional Felonies. (Public)

Sponsors: Representatives Burr, Pridgen, and Ingle (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Judiciary Subcommittee B.

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 AND TO APPROPRIATE FUNDS TO FACILITATE THE
EXPANSION.

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~~facility;
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.
- (6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of
dwelling house burglary; G.S. 14-54.1, Breaking or entering a place of
religious worship; and G.S. 14-57, Burglary with explosives.



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

21 **SECTION 2.** There is appropriated from the General Fund to the Department of
22 Justice the sum of sixty-nine thousand nine hundred thirty-four dollars (\$69,934) for fiscal year
23 2011-2012, and the sum of one hundred twenty-three thousand five hundred forty-three dollars
24 (\$123,543) for fiscal year 2012-2013 to be allocated to the State Bureau of Investigation for
25 testing and analysis of the DNA samples required by this act. There is appropriated from the
26 General Fund to the Judicial Department the sum of forty-four thousand seven hundred sixty
27 dollars (\$44,760) for fiscal year 2012-2013 to be allocated to the Administrative Office of the
28 Courts for the administration of the provisions of this act.

29 **SECTION 3.** Section 1 of this act becomes effective December 1, 2011, and
30 applies to offenses committed on or after that date. The remainder of this act becomes effective
31 July 1, 2011.