

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 1087

Short Title: Preserve Biological Evidence/Study. (Public)

Sponsors: Representatives Davis and Burr (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary Subcommittee B.

May 19, 2014

A BILL TO BE ENTITLED
AN ACT TO ESTABLISH THE JOINT SELECT STUDY COMMITTEE ON THE
PRESERVATION OF BIOLOGICAL EVIDENCE, AS RECOMMENDED BY THE
LEGISLATIVE RESEARCH COMMISSION'S COMMITTEE ON JUDICIAL
EFFICIENCY AND EFFECTIVE ADMINISTRATION OF JUSTICE.

The General Assembly of North Carolina enacts:

SECTION 1. The Joint Select Study Committee on the Preservation of Biological Evidence is established. The membership shall be as follows:

- (1) Three members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Three members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (3) The Attorney General or the Attorney General's designee.
- (4) The Director of the SBI or the Director's designee.
- (5) The Director of the Administrative Office of the Courts or the Director's designee.
- (6) The President of the North Carolina Association of Clerks of Superior Court or the President's designee.
- (7) The President of the North Carolina Association of Chiefs of Police or the President's designee.
- (8) The President of the North Carolina Sheriffs' Association or the President's designee.
- (9) The President of North Carolina Advocates for Justice or the President's designee.
- (10) One North Carolina district attorney appointed by the Speaker of the House of Representatives.
- (11) One North Carolina district attorney appointed by the President Pro Tempore of the Senate.
- (12) One public member appointed by the Speaker of the House of Representatives.
- (13) One public member appointed by the President Pro Tempore of the Senate.

The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint one legislative member of the Committee to serve as cochair. The Committee shall meet upon the call of the cochairs. A quorum of the Committee shall be a majority of its members.



1 **SECTION 2.** The Committee shall review matters related to the preservation of
2 DNA and biological evidence, including:

- 3 (1) The costs associated with the promulgation of minimum guidelines for the
4 retention and preservation of biological evidence.
- 5 (2) Emerging technologies with regard to the retention and preservation of
6 biological evidence.
- 7 (3) Procedures for the interagency transfer of biological evidence.
- 8 (4) Any other topic the Committee believes is related to its purpose.

9 **SECTION 3.** Members of the Committee shall receive per diem, subsistence, and
10 travel allowance as provided in G.S. 120-3.1, 138-5, or 138-6, as appropriate. The expenses of
11 the Committee shall be considered expenses incurred for the joint operation of the General
12 Assembly. All expenses of the Committee shall be paid from the Legislative Services
13 Commission's Reserve for Studies. The Legislative Services Officer shall assign professional
14 and clerical staff to assist the Committee in its work.

15 **SECTION 4.** The Committee shall submit a final report on the results of its study,
16 including any proposed legislation, to the General Assembly on or before April 1, 2015. The
17 Committee shall file a copy of its report with the President Pro Tempore's office, the Speaker's
18 office, and the Legislative Library. The Committee shall terminate on April 1, 2015, or upon
19 the filing of its final report, whichever occurs first.

20 **SECTION 5.** This act is effective when it becomes law.