

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 1493
Finance Committee Substitute Adopted 6/28/90
Third Edition Engrossed 7/2/90
House Committee Substitute Favorable 7/26/90
House Committee Substitute #2 Favorable 7/28/90

Short Title: Blood/Alcohol Content Test Fee.

(Public)

Sponsors:

Referred to:

June 4, 1990

A BILL TO BE ENTITLED

AN ACT TO IMPOSE A BLOOD-ALCOHOL CONTENT ANALYSIS FEE TO BE PAID BY PERSONS CONVICTED OF IMPLIED CONSENT OFFENSES AND TO APPROPRIATE THOSE FUNDS RAISED FROM THIS FEE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-179 is amended by adding a new subsection to read:

"(u) Fee for Chemical Analysis. The court may require each defendant convicted of an implied consent offense as defined in G.S. 20-16.2(a1) to pay a fee of twenty-five dollars (\$25.00) for any series of chemical analyses which, pursuant to G.S. 20-16.2, was administered to the defendant in connection with the charge upon which his conviction was entered. If assessed, the fee shall be paid to the clerk of superior court of the county in which the defendant was convicted and remitted to the State for deposit in the General Fund to defray the cost of the equipment, maintenance, and personnel training necessary to perform the chemical analyses provided for in this Chapter."

Sec. 2. G.S. 15A-1343(b) is amended by adding a new subdivision to read:

"(12) Pay any other fee provided for by law for persons charged with or convicted of the offense of which the defendant was charged or convicted."

Sec. 3. There is appropriated from the General Fund to the Department of Environment, Health, and Natural Resources for the 1990-91 fiscal year the sum of

1 \$615,415 for training State and local law enforcement personnel in breath testing for
2 alcohol, for maintaining existing breath-testing instruments throughout the State, and for
3 purchasing and maintaining new breath-testing instruments for use by State and local
4 law enforcement officials; provided, however, if the revenues raised from Section 1 of
5 this act are less than \$615,415, then the appropriation is hereby reduced accordingly.

6 Sec. 4. Sections 1 and 2 of this act shall become effective October 1, 1990,
7 and shall apply to all offenses committed on or after that date. Section 3 of this act shall
8 become effective July 1, 1990.