

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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SENATE BILL 83

Short Title: Juvenile Fingerprints/Photographs.

(Public)

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Sponsors: Senator Winner of Buncombe.

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Referred to: Courts.

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February 11, 1994

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPEAL THE PROHIBITION ON PHOTOGRAPHING AND  
3 FINGERPRINTING SIXTEEN AND SEVENTEEN YEAR OLD JUVENILES  
4 UNDER THE JURISDICTION OF THE SUPERIOR COURT.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 15A-502 reads as rewritten:

7 "**§ 15A-502. Photographs and fingerprints.**

8 (a) A person charged with the commission of a felony or a misdemeanor may be  
9 photographed and his fingerprints may be taken for law-enforcement records only when  
10 he has been:

- 11 (1) Arrested or committed to a detention facility, or
- 12 (2) Committed to imprisonment upon conviction of a crime, or
- 13 (3) Convicted of a felony.

14 It shall be the duty of the arresting law-enforcement agency to cause a person charged  
15 with the commission of a felony to be fingerprinted and to forward those fingerprints to  
16 the State Bureau of Investigation.

17 (b) **(Effective until January 1, 1995)** This section does not authorize the taking  
18 of photographs or fingerprints when the offense charged is a misdemeanor under  
19 Chapter 20 of the General Statutes, 'Motor Vehicles,' for which the penalty authorized  
20 does not exceed a fine of five hundred dollars (\$500.00), imprisonment for six months,  
21 or both.

22 (b) **(Effective January 1, 1995)** This section does not authorize the taking of  
23 photographs or fingerprints when the offense charged is a Class 2 or 3 misdemeanor  
24 under Chapter 20 of the General Statutes, 'Motor Vehicles.'

1       ~~(e) This section does not authorize the taking of photographs or fingerprints of a~~  
2 ~~juvenile except under G.S. 7A-596 through 7A-601.~~

3       (d) This section does not prevent the taking of photographs, moving pictures,  
4 video or sound recordings, fingerprints, or the like to show a condition of intoxication or  
5 for other evidentiary use.

6       (e) Fingerprints or photographs taken pursuant to subsection (a) may be  
7 forwarded to the State Bureau of Investigation, the Federal Bureau of Investigation, or  
8 other law-enforcement agencies."

9               Sec. 2. This act is effective upon ratification.