

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 925

Short Title: Require DNA Test/First Degree Murder Case. (Public)

Sponsors: Senators Rand; Cunningham, Dalton, and Soles.

Referred to: Judiciary I.

April 5, 2001

A BILL TO BE ENTITLED

AN ACT TO REQUIRE DNA TESTING OF DEFENDANT CHARGED WITH FIRST
DEGREE MURDER FOR WHICH THE STATE SEEKS THE DEATH PENALTY.

The General Assembly of North Carolina enacts:

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

**"§ 15A-2004. Mandatory DNA testing of defendant charged with first degree
murder for which State seeks death penalty.**

If it is determined at a pretrial conference under Rule 24 of the General Rules of
Practice for the Superior and District Courts that the State is seeking the death penalty,
the judge shall order the defendant to submit to forensic deoxyribonucleic acid (DNA)
testing, unless the defendant has previously submitted to such testing. The judge shall
select a laboratory or individual to perform the testing. The judge shall consider, among
other factors, the ability of the laboratory or individual to perform the test in an
expeditious manner. The results of the testing shall be provided to the State and the
defense counsel, or to the defendant if the defendant represents himself or herself."

SECTION 2. This act is effective when it becomes law and applies to a Rule
24 conference conducted 30 days or more after that date.