

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 379

Short Title: State Misdemeanant Fingerprinting.

(Public)

Sponsors: Senator Allran.

Referred to: Judiciary II.

March 28, 1991

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON CHARGED WITH A MISDEMEANOR
SHALL BE FINGERPRINTED.

The General Assembly of North Carolina enacts:

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

"§ 15A-502. Photographs and fingerprints.

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

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

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

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

(b1) This section does not authorize the taking of photographs or fingerprints for an offense charged under G.S. 14-107.

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

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

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

7 Sec. 2. This act becomes effective October 1, 1991, and applies to offenses
8 occurring on or after that date.