

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**HOUSE BILL 316
RATIFIED BILL**

AN ACT TO AMEND RULE 45 OF THE RULES OF CIVIL PROCEDURE TO ESTABLISH AN OBLIGATION TO PROVIDE NOTICE TO ALL PARTIES TO AN ACTION OF RECEIPT OF MATERIAL PRODUCED IN COMPLIANCE WITH A SUBPOENA, AND TO PROVIDE A REASONABLE OPPORTUNITY TO INSPECT SUCH MATERIAL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 1A-1, Rule 45, is amended by adding a new subsection to read:

"(d1) Opportunity for Inspection of Subpoenaed Material. – A party or attorney responsible for the issuance and service of a subpoena shall, within five business days after the receipt of material produced in compliance with the subpoena, serve all other parties with notice of receipt of the material produced in compliance with the subpoena and, upon request, shall provide all other parties a reasonable opportunity to copy and inspect such material at the expense of the inspecting party."

SECTION 2. This act becomes effective October 1, 2007, and applies to actions filed on or after that date.

In the General Assembly read three times and ratified this the 31st day of July, 2007.

Beverly E. Perdue
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Michael F. Easley
Governor

Approved _____m. this _____ day of _____, 2007