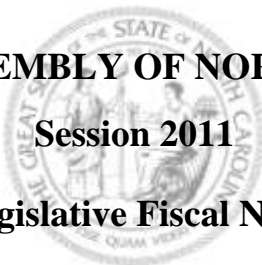


GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2011

Legislative Fiscal Note

BILL NUMBER: House Bill 502 (First Edition)

SHORT TITLE: Preserve Biological Evidence/Custodial Agency.

SPONSOR(S): Representatives Michaux, Stam, Glazier, and Jackson

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2011-12</u></b>	<b><u>FY 2012-13</u></b>	<b><u>FY 2013-14</u></b>	<b><u>FY 2014-15</u></b>	<b><u>FY 2015-16</u></b>
<b>EXPENDITURES:</b>					
Judicial Branch			No significant fiscal impact		
DOJ			No significant fiscal impact		
CCPS			No significant fiscal impact		
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b> Judicial Branch; Department of Justice; Department of Crime Control and Public Safety					
<b>EFFECTIVE DATE:</b> The act is effective when it becomes law.					

**BILL SUMMARY:**

The proposed legislation amends G.S. 15A-268(a7), clarifying that the custodial agency must, upon written request by the defendant, prepare an inventory of biological evidence relevant to the defendant’s case that is in the custodial agency’s custody. The act requires the custodial agency to provide the defendant with a copy of the court order or written directive, if the evidence was destroyed through such an order. The act also amends G.S. 15A-268(a1), clarifying that a custodial agency must preserve physical evidence, regardless of the date of collection, that is reasonably likely to contain biological evidence collected during a criminal investigation or prosecution.

SOURCE: BILL DIGEST H.B. 502 (03/29/0201)

**ASSUMPTIONS AND METHODOLOGY:**

**Judicial Branch**

According to the Administrative Office of the Courts (AOC), the proposed legislation will not have a significant fiscal impact on the judicial branch.

**Department of Justice**

According to the Department of Justice (DOJ), the proposed legislation will not have a significant fiscal impact on the Department.

**Department of Crime Control and Public Safety**

According to the Department of Crime Control and Public Safety (CCPS), the proposed legislation will not have a significant fiscal impact on the Department.

**SOURCES OF DATA:** Administrative Office of the Courts; Department of Justice; Department of Crime Control and Public Safety

**TECHNICAL CONSIDERATIONS:** None

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**APPROVED BY:**

Lynn Muchmore, Director  
**Fiscal Research Division**

**DATE:** April 28, 2011



**Signed Copy Located in the NCGA Principal Clerk's Offices**