February 22, 2001

S 226. DNA SAMPLE FELONY CONVICTIONS/INSANE DEFENSE. *TO PROVIDE THAT A DNA SAMPLE SHALL BE TAKEN FROM ANY PERSON WHO IS CONVICTED OF A FELONY OR WHO IS FOUND NOT GUILTY OF A FELONY BY REASON OF INSANITY AND TO MAKE CONFORMING STATUTORY CHANGES*. Broadens groups of persons from whom DNA sample must be taken. Deletes from GS 15A-266.4 the list of violent crimes that lead to DNA sample being required. Amends GS 15A-266.4 require that a person who is convicted of a felony or who is found not guilty of a felony by reason of insanity or after Dec. 1, 2001, shall have a DNA sample drawn upon intake to a jail or prison. If confinement is not part of sentence, DNA sample must be provided as a condition of the sentence. Provides that person convicted of a felony and incarcerated as result of conviction before Dec. 1, 2001, or who was found not guilty of a felony by reason of insanity and committed to a Forensic Unit under GS 15A-1321 must have DNA sample drawn before parole or release from penal system. Amends GS 15A-266.10 to provide that, under specified circumstances, person found not guilty of a felony by reason of insanity may apply for expungement of DNA sample from State Databank after court has ordered release under specified circumstances. Effective Dec. 1, 2001.

Intro. by Shaw of Guilford.

Ref. to Judiciary I	GS 15A