

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2003**

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**SENATE BILL 11**

Short Title: DNA Samples/All Felonies. (Public)

Sponsors: Senators Pittenger; Allran, Apodaca, Ballantine, Bingham, Blake, Brock, Carpenter, Forrester, Hartsell, Horton, Rucho, Shubert, Sloan, Smith, Stevens, Tillman, Webster, and Weinstein.

Referred to: Judiciary I.

February 10, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A DNA SAMPLE AND ANALYSIS SHALL BE  
REQUIRED OF ANY PERSON CONVICTED OF A FELONY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-266.1 reads as rewritten:

**"§ 15A-266.1. Policy.**

It is the policy of the State to assist federal, State, and local criminal justice and law enforcement agencies in the identification, detection, or exclusion of individuals who are subjects of the investigation or prosecution of felonies and violent crimes against the person. Identification, detection, and exclusion is facilitated by the analysis of biological evidence that is often left by the perpetrator or is recovered from the crime scene. The analysis of biological evidence can also be used to identify missing persons and victims of mass disasters."

**SECTION 2.** G.S. 15A-266.4 reads as rewritten:

**"§ 15A-266.4. Blood sample required for DNA analysis upon conviction.**

(a) On or after 1 July 1994, a person who is convicted of any of the crimes listed in subsection (b) of this section shall have a DNA sample drawn upon intake to a jail or prison. In addition, every person convicted on or after 1 July 1994, of any of these crimes, but who is not sentenced to a term of confinement, shall provide a DNA sample as a condition of the sentence. A person who has been convicted and incarcerated as a result of a conviction of one or more of these crimes prior to 1 July 1994 shall have a DNA sample drawn before parole or release from the penal system.

(b) Crimes covered by this Article include:

All felonies.

~~G.S. 14 17~~ ~~Murder in the first and second degree.~~

~~G.S. 14 27.2~~ ~~First degree rape.~~

~~G.S. 14 27.3~~ ~~Second degree rape.~~

- 1 ~~G.S. 14 27.4~~ — ~~First degree sexual offense.~~  
2 ~~G.S. 14 27.5~~ — ~~Second degree sexual offense.~~  
3 ~~G.S. 14 28~~ — ~~Malicious castration.~~  
4 ~~G.S. 14 29~~ — ~~Castration or other maiming.~~  
5 ~~G.S. 14 30~~ — ~~Malicious maiming.~~  
6 ~~G.S. 14 30.1~~ — ~~Malicious throwing of corrosive acid or alkali.~~  
7 ~~G.S. 14 31~~ — ~~Malicious assault in secret manner.~~  
8 ~~G.S. 14 32~~ — ~~Felonious assault with deadly weapon with intent~~  
9 ~~to kill.~~  
10 ~~G.S. 14-32.1~~ — ~~Assaults on handicapped persons.~~  
11 ~~G.S. 14 34.1~~ — ~~Discharging barreled weapon or firearm into~~  
12 ~~occupied property.~~  
13 ~~G.S. 14 34.2~~ — ~~Assault with firearm or other deadly weapon upon~~  
14 ~~law enforcement officer, fireman, or EMS~~  
15 ~~personnel.~~  
16 ~~G.S. 14 39(a)(3)~~ — ~~Kidnapping for the purpose of doing serious~~  
17 ~~bodily harm to the person.~~  
18 ~~G.S. 14 49~~ — ~~Malicious use of explosive or incendiary.~~  
19 ~~G.S. 14 58.2~~ — ~~Burning of mobile home, manufactured type~~  
20 ~~house, or recreational trailer home.~~  
21 ~~G.S. 14 202.1~~ — ~~Taking indecent liberties with children.~~  
22 ~~G.S. 14 87~~ — ~~Robbery with a dangerous weapon.~~  
23 ~~G.S. 14-277.3~~ — ~~Stalking.~~  
24 ~~G.S. 14 87.1~~ — ~~Common law robbery.~~  
25 ~~G.S. 14 58~~ — ~~First degree arson."~~

26 **SECTION 3.** This act becomes effective December 1, 2003.