

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

S

2

SENATE BILL 468
Judiciary I Committee Substitute Adopted 4/13/05

Short Title: Crime Lab Cost Recovery Fee.

(Public)

Sponsors:

Referred to:

March 10, 2005

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE COURT TO ASSESS A FEE FOR THE COSTS OF
THE SERVICES OF A CRIME LABORATORY OPERATED BY A LOCAL
GOVERNMENT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 7A-304(a) is amended by adding a new subdivision to
read:

"(8) For the services of any crime laboratory facility operated by a local government or group of local governments, the district or superior court judge shall, upon conviction, order payment of the sum of three hundred dollars (\$300.00) to be remitted to the general fund of the local governmental unit that operates the laboratory to be used for law enforcement purposes. The cost shall be assessed only in cases in which, as part of the investigation leading to the defendant's conviction, the laboratory has performed DNA analysis of the crime, test of bodily fluids of the defendant for the presence of alcohol or controlled substances, or analysis of any controlled substance possessed by the defendant or the defendant's agent. The costs shall be assessed only if the court finds that the work performed at the local government's laboratory is the equivalent of the same kind of work performed by the State Bureau of Investigation under subdivision (7) of this subsection. The court may waive or reduce the amount of the payment required by this subdivision upon a finding of just cause to grant such a waiver or reduction. The costs assessed in one case against one individual under both this subdivision and subdivision (7) of this subsection shall not exceed three hundred dollars (\$300.00). If more than one laboratory has performed work under either or both of the two subdivisions in the same case, or if multiple local governmental units jointly operate the same laboratory performing

1 work, the court shall apportion the proceeds from the fee between or
2 among the governmental units on the basis of the relative contribution
3 of each governmental unit to the work performed."

4 **SECTION 2.** This act becomes effective July 1, 2005, and applies to court
5 costs assessed or collected on or after that date for offenses committed on or after that
6 date.