

1 shall give the notice and furnish the materials required by this
2 subsection within a reasonable time prior to trial, as specified by the
3 court.

4 (3) Give the defendant, at the beginning of jury selection, a written list of
5 the names of all other witnesses whom the State reasonably expects to
6 call during the trial. Names of witnesses shall not be subject to
7 disclosure if the State certifies in writing and under seal to the court
8 that to do so may subject the witnesses or others to physical or
9 substantial economic harm or coercion, or that there is other
10 particularized, compelling need not to disclose. If there are witnesses
11 that the State did not reasonably expect to call at the time of the
12 provision of the witness list, and as a result are not listed, the court
13 upon a good faith showing shall allow the witnesses to be called.
14 Additionally, in the interest of justice, the court may in its discretion
15 permit any undisclosed witness to testify.

16 (b) If the State voluntarily provides disclosure under G.S. 15A-902(a), the
17 disclosure shall be to the same extent as required by subsection (a) of this section.

18 (c) Upon request by the State, a law enforcement or prosecutorial agency shall
19 make available to the State a complete copy of the complete files related to the
20 investigation of the crimes committed or the prosecution of the defendant for
21 compliance with this section and any disclosure under G.S. 15A-902(a)."

22 **SECTION 2.** This act becomes effective December 1, 2007, and applies to
23 cases where the trial date set pursuant to G.S. 7A-49.4 is on or after that date. Nothing
24 in this act shall be construed to abrogate any judicial rulings or decisions prior to the
25 effective date of this act that required a law enforcement agency to make available to
26 the State a complete copy of the complete files related to the investigation of crimes
27 committed or the prosecution of a defendant. Prosecutions for offenses committed
28 before the effective date of this act are not abated or affected by this act, and the statutes
29 that would be applicable but for this act remain applicable to those prosecutions.