



SENATE BILL 200: Extend Time For Forensic Accreditation

2013-2014 General Assembly

Committee:	Senate Judiciary I	Date:	March 19, 2013
Introduced by:	Sens. Bingham, Goolsby, Newton	Prepared by:	Susan Sitze
Analysis of:	PCS to First Edition S200-CSSA-7		Committee Counsel

SUMMARY: *The PCS to Senate Bill 200 would extend the time for local forensic science labs to obtain accreditation.*

[The PCS makes technical changes to the short and long title to remove incorrect references to certification of forensic scientists.]

CURRENT LAW: In S.L. 2011-19, the General Assembly enacted "The Forensic Sciences Act of 2011", which, among other changes, modified the statutes relating to the admissibility of forensic analysis and chemical analysis to require that, in order to be admissible, the analysis must be performed by a lab that is accredited by an accrediting body that requires conformance to forensic specific requirements and which is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement For Testing.

This requirement applies to any analysis of forensic evidence, including DNA samples of offenders, DNA evidence found on physical evidence, blood or urine samples analyzed for the presence of drugs or alcohol, and drug chemistry (i.e. determining if that bag of white powder is really cocaine).

As initially enacted, this requirement became effective March 31, 2011 for all labs.

In June of 2011, the General Assembly enacted S.L. 2011-307, which modified the effective date of the lab accreditation requirements to apply the accreditation requirement only to analyses performed by the North Carolina State Crime Laboratory (State Crime Lab) until October 1, 2012. This had the effect of giving all other labs until October 1, 2012 to obtain accreditation in order for their analyses to continue to be admissible in court.

In July of 2012, the General Assembly enacted S.L. 2012-168, which further modified the effective date to extend the time to obtain accreditation, for all labs except the State Crime Lab, until July 1, 2013.

As the law currently stands, any forensic analysis or chemical analysis performed by a lab that has not been accredited to the ILAC standard by July 1, 2013, will not be admissible in court in North Carolina.

BILL ANALYSIS: The PCS to Senate Bill 200 would extend the time period allowing forensic and chemical analyses performed by labs not accredited to the ILAC standard to be admissible in North Carolina courts until July 1, 2020.

EFFECTIVE DATE: This act is effective when it becomes law.

