

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 597

Short Title: Jury Exhibits/Criminal Trials. (Public)

Sponsors: Senator Clodfelter.

Referred to: Judiciary I.

March 16, 2009

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT THE PRESIDING TRIAL JUDGE IN A CRIMINAL CASE  
HAS THE SOLE DISCRETION TO DETERMINE WHETHER JURORS MAY TAKE  
EXHIBITS INTRODUCED INTO EVIDENCE IN THE JURY ROOM AND THAT THE  
CONSENT OF ALL PARTIES IS NOT NECESSARY.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-1233(b) reads as rewritten:

"(b) Upon request by the ~~jury and with consent of all parties,~~ jury, the judge may in his  
or her discretion permit the jury to take to the jury room exhibits and writings which have been  
received in evidence. If the judge permits the jury to take to the jury room requested exhibits  
and writings, ~~he the judge~~ may have the jury take additional material or first review other  
evidence relating to the same issue so as not to give undue prominence to the exhibits or  
writings taken to the jury room. If the judge permits an exhibit to be taken to the jury room, ~~he~~  
the judge must, upon request, instruct the jury not to conduct any experiments with the exhibit."

**SECTION 2.** This act becomes effective December 1, 2009, and applies to trials  
beginning on or after that date.

