

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE BILL 351

Short Title: Collect DNA All Violent Felony Arrests. (Public)

Sponsors: Senators Stein, Barringer, Bingham (Primary Sponsors); Bryant, Lee, Pate, Robinson, and Woodard.

Referred to: Judiciary II.

March 23, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO ADD ALL VIOLENT FELONIES TO THE REQUIREMENT THAT A DNA
3 SAMPLE AND TESTING BE OBTAINED UPON ARREST.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 15A-266.3A(f) reads as rewritten:

6 "(f) This section shall apply to a person arrested for violating any one of the following
7 offenses in Chapter 14 of the General Statutes:

8 (1) G.S. 14-16.6(b), Assault with a deadly weapon on executive, legislative, or
9 court officer; and G.S. 14-16.6(c), Assault inflicting serious bodily injury on
10 executive, legislative, or court officer.

11 (1a) G.S. 14-17, First and Second Degree Murder.

12 (2) G.S. 14-18, Manslaughter.

13 (2a) Any felony offense in Article 6A, Unborn Victims.

14 (3) Any offense in Article 7A, Rape and Other Sex Offenses.

15 (4) G.S. 14-28, Malicious castration; G.S. 14-29, Castration or other maiming
16 without malice aforethought; G.S. 14-30, Malicious maiming; G.S. 14-30.1,
17 Malicious throwing of corrosive acid or alkali; G.S. 14-31, Maliciously
18 assaulting in a secret manner; G.S. 14-32, Felonious assault with deadly
19 weapon with intent to kill or inflicting serious injury;
20 ~~G.S. 14-32.4(a)~~; G.S. 14-32.1(e), Aggravated assault or assault and battery on
21 handicapped person; G.S. 14-32.2(a) when punishable pursuant to
22 G.S. 14-32.2(b)(1), Patient abuse and neglect, intentional conduct
23 proximately causes death; G.S. 14-32.3(a), Domestic abuse of disabled or
24 elder adults resulting in injury; G.S. 14-32.4, Assault inflicting serious
25 bodily ~~injury~~; injury or injury by strangulation; G.S. 14-33.2, Habitual
26 misdemeanor assault; G.S. 14-34.1, Discharging certain barreled weapons or
27 a firearm into occupied property; G.S. 14-34.2, Assault with a firearm or
28 other deadly weapon upon governmental officers or employees, company
29 police officers, or campus police officers; G.S. 14-34.4, Adulterated or
30 misbranded food, drugs, etc.; intent to cause serious injury or death; intent to
31 extort; G.S. 14-34.5, Assault with a firearm on a law enforcement, probation,
32 or parole officer or on a person employed at a State or local detention
33 facility; G.S. 14-34.6, Assault or affray on a firefighter, an emergency
34 medical technician, medical responder, emergency department nurse, or
35 emergency department physician; and—G.S. 14-34.7, Assault inflicting



1 serious injury on a law enforcement, probation, or parole officer or on a
2 person employed at a State or local detention ~~facility~~-facility; G.S. 14-34.9,
3 Discharging a firearm from within an enclosure; and G.S. 14-34.10,
4 Discharge firearm within enclosure to incite fear.

5 (5) Any offense in Article 10, Kidnapping and Abduction, or Article 10A,
6 Human Trafficking.

7 (5a) Any offense in Article 13, Malicious Injury or Damage by Use of Explosive
8 or Incendiary Device or Material.

9 (6) G.S. 14-51, First and second degree burglary; G.S. 14-53, Breaking out of
10 dwelling house burglary; G.S. 14-54(a1), Breaking or entering buildings
11 with intent to terrorize or injure; G.S. 14-54.1, Breaking or entering a place
12 of religious worship; and G.S. 14-57, Burglary with explosives.

13 (7) Any offense in Article 15, Arson.

14 (8) G.S. 14-87, ~~Armed robbery~~-robbery; Common law robbery punishable
15 pursuant to G.S. 14-87.1; and G.S. 14-88, Train robbery.

16 (8a) G.S. 14-163.1(a1), Assaulting a law enforcement agency animal, an
17 assistance animal, or a search and rescue animal willfully killing the animal.

18 (9) Any offense which would require the person to register under the provisions
19 of Article 27A of Chapter 14 of the General Statutes, Sex Offender and
20 Public Protection Registration Programs.

21 (10) G.S. 14-196.3, Cyberstalking.

22 (10a) G.S. 14-202, Secretly peeping into room occupied by another person.

23 (10b) G.S. 14-258.2, Possession of dangerous weapon in prison resulting in bodily
24 injury or escape; G.S. 14-258.3, Taking of hostage, etc., by prisoner; and
25 G.S. 14-258.4, Malicious conduct by prisoner.

26 (11) G.S. 14-277.3A, Stalking.

27 (12) G.S. 14-288.9, Assault on emergency personnel with a dangerous weapon or
28 substance.

29 (13) G.S. 14-288.21, Unlawful manufacture, assembly, possession, storage,
30 transportation, sale, purchase, delivery, or acquisition of a nuclear,
31 biological, or chemical weapon of mass destruction; exceptions; and
32 G.S. 14-288.22, Unlawful use of a nuclear, biological, or chemical weapon
33 of mass destruction.

34 (14) G.S. 14-318.4(a), Child abuse inflicting serious injury; and
35 G.S. 14-318.4(a3), Child abuse inflicting serious bodily injury.

36 (15) G.S. 14-360(a1), Cruelty to animals; maliciously kill by intentional
37 deprivation of necessary sustenance; and G.S. 14-360(b), Cruelty to animals;
38 maliciously torture, mutilate, maim, cruelly beat, disfigure, poison, or kill.

39 (16) G.S. 14-401.22(e), Attempt to conceal evidence of non-natural death by
40 dismembering or destroying remains."

41 **SECTION 2.** This act becomes effective December 1, 2015, and applies to arrests
42 occurring on or after that date.