

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE DRS45001-MG-14 (1/15)

Short Title: Expand Chem. Analysis Sites/Contr. Substance.

(Public)

Sponsors: Senator Forrester.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DESIGNATE THE IREDELL COUNTY CRIME LABORATORY AS AN  
3 ADDITIONAL CONTROLLED SUBSTANCE CHEMICAL ANALYSIS SITE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 90-95(g) reads as rewritten:

6 "§ 90-95. Violations; penalties.

7 (g) Whenever matter is submitted to the North Carolina State Bureau of Investigation  
8 Laboratory, the Charlotte, North Carolina, Police Department Laboratory, the Crime  
9 Laboratory of the Iredell County, North Carolina, Sheriff's Office, or to the Toxicology  
10 Laboratory, Reynolds Health Center, Winston-Salem for chemical analysis to determine if the  
11 matter is or contains a controlled substance, the report of that analysis certified to upon a form  
12 approved by the Attorney General by the person performing the analysis shall be admissible  
13 without further authentication in all proceedings in the district court and superior court  
14 divisions of the General Court of Justice as evidence of the identity, nature, and quantity of the  
15 matter analyzed. Provided, however, that a report is admissible in a criminal proceeding in the  
16 superior court division or in an adjudicatory hearing in juvenile court in the district court  
17 division only if:

18 (1) The State notifies the defendant at least 15 days before trial of its intention to  
19 introduce the report into evidence under this subsection and provides a copy  
20 of the report to the defendant, and

21 (2) The defendant fails to notify the State at least five days before trial that the  
22 defendant objects to the introduction of the report into evidence.

23 Nothing in this subsection precludes the right of any party to call any witness or to  
24 introduce any evidence supporting or contradicting the evidence contained in the report."

25 SECTION 2. This act is effective when it becomes law.

