



# HOUSE BILL 211: Expand Use of Toxicology Funds

2015-2016 General Assembly

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<b>Committee:</b>	House Judiciary III	<b>Date:</b>	March 17, 2015
<b>Introduced by:</b>	Reps. Stevens, Bryan, Floyd, D. Hall	<b>Prepared by:</b>	Bill Patterson
<b>Analysis of:</b>	First Edition		Committee Counsel

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**SUMMARY:** *House Bill 211 would authorize the Conference of District Attorneys to use grant funds to obtain both toxicology analysis and forensic DNA analysis from local hospitals and approved private laboratories, as recommended by the North Carolina Courts Commission.*

**CURRENT LAW:** Section 18B.4 of Session Law 2013-360 allocated \$500,000 of the funds appropriated to the Judicial Department to be used to establish a grant fund to provide district attorneys with resources to obtain toxicology analysis from local hospitals on persons charged with DWI whose conduct did not result in serious death or injury to others.

**BILL ANALYSIS:** House Bill 211 would amend Section 18B.4 of Session Law 2013-360 to authorize the Conference of District Attorneys to use these funds also to obtain forensic DNA analysis, and would permit district attorneys to obtain toxicology and forensic DNA analysis not only from local hospitals, but also from private laboratories approved by the State Crime Laboratory as complying with requirements of the Combined DNA Index System (CODIS), the FBI's program that allows forensic DNA laboratories to create and search databases of DNA profiles.

**EFFECTIVE DATE:** This act becomes effective July 1, 2015.

**BACKGROUND:** This bill is one of the recommendations made by the North Carolina Courts Commission in its March 2015 Report to the 2015 Regular Session of the 2015-16 General Assembly, and addresses the problem of delays experienced by district attorneys in obtaining toxicology and forensic DNA analyses from the State Crime Lab.

