



SENATE BILL 559: Fingerprinting Upon Arrest.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2017-2018 General Assembly

Committee: Senate Rules and Operations of the Senate	Date: April 26, 2017
Introduced by: Sens. J. Jackson, Britt	Prepared by: Jennifer H. Bedford
Analysis of: First Edition	Legislative Analyst

OVERVIEW: *Senate Bill 559 would create a process to insure that defendants subject to the fingerprint requirement, get fingerprinted.*

CURRENT LAW: G.S. 15A-502, as amended in 2015, requires an arresting law enforcement agency to fingerprint defendants when charged with certain misdemeanors.

G.S. 90-95(a)(3) prohibits the possession of 1.5 ounces of marijuana or less. It is a misdemeanor that requires the defendant to be fingerprinted. Officers however, often issue a citation for this misdemeanor instead of making an arrest.

BILL ANALYSIS: **Senate Bill 559** would create a process to obtain fingerprints from a defendant that has been issued a citation (not placed under arrest) for a misdemeanor that, by statute, requires fingerprinting, The court would be required to order fingerprinting. Noncompliance with the court's order could lead to a charge of criminal contempt.

EFFECTIVE DATE: This act would become effective December 1, 2017, and would apply to offenses committed on or after that date.

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Director



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