



# HOUSE BILL 674: Require DNA for Various Charges.

2021-2022 General Assembly

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<b>Committee:</b>	House Judiciary 2. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	May 3, 2021
<b>Introduced by:</b>	Reps. Richardson, Szoka, Wheatley	<b>Prepared by:</b>	Hillary Woodard Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H674-CSCH-14		

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**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 674 would require a DNA sample be obtained from any individual arrested for assault and domestic violence offenses.*

**CURRENT LAW:** G.S. 15A-266.3A provides that a DNA sample must be obtained from an individual either at the time of arrest or at the time of fingerprinting. The DNA sample requirement only applies to individuals who are arrested for committing, attempting to commit, soliciting another to commit, conspiring to commit, or aiding and abetting another to commit, any of the offenses enumerated in G.S. 15A-266.3A(f). These offenses include, among others, assaults, murder, and certain property crimes. If the arrest occurs without a warrant, the DNA sample must not be taken until a probable cause determination has been made.

**BILL ANALYSIS:** The PCS for House Bill 674 amends G.S. 15A-266.3A by adding additional offenses for which a DNA sample is required and makes conforming changes. The new offenses for which a DNA sample would be required include assault on a female by a male person of at least 18 years of age and assault on a child under the age of 12 years. A DNA sample would also be required for violating any of the offenses listed in G.S. 50B-4.1, which includes offenses relating to domestic violence protective orders.

**EFFECTIVE DATE:** This act would be effective December 1, 2021, and would apply to offenses committed on or after that date.

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