

The Daily Bulletin: 2016-05-23

PUBLIC/HOUSE BILLS

H 357 (2015-2016) [Chemical Analysis Reports/District Court](#) Filed Mar 25 2015, *AN ACT TO AMEND PROCEDURES GOVERNING THE ADMISSIBILITY OF WRITTEN CHEMICAL ANALYSIS RESULTS.*

Senate committee substitute makes the following changes to the 2nd edition. Deletes the content of the previous edition and replaces it with the following.

Amends the act's short and long titles.

Amends GS 20-139.1, which sets out processes and procedures concerning the admissibility and use of chemical analysis test results in implied-consent offenses, now providing in subsection (c1) "Admissibility", subsection (c3) "Procedure for Establishing Chain of Custody Without Calling Unnecessary Witnesses", and subsection (e2) concerning the use of a chemical analyst's affidavit in District Court, an additional notice requirement that the State must notify the defendant no later than 15 business days after receiving the chemical analysis document (report, statement, or affidavit) and at least 15 days before the proceeding, of its intent to introduce the chemical analysis document into evidence, as well as provide a copy of the document to the defendant (previously, only required the State to give notice of intent and a copy of the document at least 15 business days before the proceeding at which the document would be used, now requires both). Additionally, in these same subsections, new language is added to provide that if the proceeding at which the chemical analysis document would be introduced into evidence is continued, then any notice provided by the State, written objection filed by the defendant or the failure to do so, remains effective at a subsequent calendaring of that proceeding. Further amends subsection (e2), concerning the defendant's failure to timely file an objection to the introduction of a chemical analyst's affidavit in district court, which is considered a waiver of right to object to the admissibility of the affidavit, adding a provision that requires when such waivers occur, then the affidavit is admitted into evidence but without the analyst's testimony. Makes conforming changes as well as clarifying changes concerning reference to "reports", "affidavits", and "statements."

Effective October 1, 2016, applying to trials on or after that date.

Intro. by Stam, Faircloth, Glazier, Hurley.

GS 20

[View summary](#)

[Courts/Judiciary, Evidence, Motor Vehicle, Criminal Justice, Criminal Law and Procedure](#)

ACTIONS ON BILLS

PUBLIC BILLS

H 357: [Chemical Analysis Reports/District Court](#)

Senate: Reptd Fav Com Substitute

Senate: Com Substitute Adopted

H 474: EXCLUDE YR. ROUND TRACK-OUT PROGRAM/CHILD CARE.

House: Placed On Cal For 05/24/2016

H 632: STUDY STUDENT ONLINE DATA PRIVACY.

Senate: Withdrawn From Com

Senate: Re-ref Com On Education/Higher Education

H 667: STUDY ATHLETIC TRAINER/HEALTH COVERAGE OPTION (NEW).

Senate: Withdrawn From Com

Senate: Re-ref Com On Health Care

H 1023: MUNICIPAL SERVICE DISTRICTS/STATUTORY CHANGES.

Senate: Withdrawn From Com

Senate: Re-ref Com On Finance

H 1030: 2016 APPROPRIATIONS ACT.

Senate: Special Message Received From House

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

H 1134: ADMIN. CHANGES RETIREMENT SYSTEM/TREASURER.

House: Passed 1st Reading

House: Ref To Com On Pensions and Retirement

H 1135: RETIREMENT CREDITS FOR PEACE CORPS SERVICE.

House: Passed 1st Reading

House: Ref To Com On Pensions and Retirement

H 1137: TREASURER'S 2016 INVESTMENT ADMIN. CHANGES.-AB

House: Passed 1st Reading

House: Ref To Com On Pensions and Retirement

H 1140: 2016 GOVERNOR'S BUDGET.

House: Passed 1st Reading

House: Ref To Com On Appropriations

H 1141: OBSERVANCE OF MEMORIAL DAY.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

S 363: EXPAND OUTDOOR FOOD SERVICE AT PUBLIC EVENTS.

House: Withdrawn From Com

House: Re-ref Com On Finance

S 818: INCREASE THE ZERO TAX BRACKET.

Senate: Withdrawn From Cal

Senate: Placed On Cal For 05/24/2016

S 832: EXPAND 1%/\$80 EXCISE TAX FOR PORTS EQUIP.

Senate: Regular Message Sent To House

House: Regular Message Received From Senate

S 838: MEDICAID TRANSFORMATION MODIFICATIONS.

House: Passed 1st Reading

House: Ref To Com On Health

S 853: HONOR FORMER SENATOR PARMON.

Senate: Withdrawn From Com

Senate: Placed On Cal For 05/24/2016

S 884: DISAPPROVE WILDLIFE RESOURCES COMM. RULES.

Senate: Passed 1st Reading

Senate: Ref To Com On Agriculture/Environment/Natural Resources

S 885: 2016 GOVERNOR'S BUDGET.

Senate: Passed 1st Reading

Senate: Ref To Com On Appropriations/Base Budget

S 886: RETIREMENT TECHNICAL CORRECTIONS ACT OF 2016.-AB

Senate: Passed 1st Reading

Senate: Ref To Com On Pensions & Retirement and Aging

S 887: ADMIN CHANGES/MODERNIZE RETIREMENT SYSTEM.

Senate: Passed 1st Reading

Senate: Ref To Com On Pensions & Retirement and Aging

LOCAL BILLS

H 1136: MORRISVILLE/DEVELOPM'T FEES FOR ROAD PROJECTS.

House: Passed 1st Reading

House: Ref To Com On Rules, Calendar, and Operations of the House

H 1138: WAKE/DURHAM CO. TRUCK ROUTES/SECONDARY ROADS.

House: Passed 1st Reading

House: Ref To Com On Transportation

H 1139: CHADBOURN CHARTER/TOWN APPOINTMENTS.

House: Passed 1st Reading

House: Ref To Com On Local Government

H 1142: INCLEMENT WEATHER/AVERY CO. SCHOOLS.

House: Passed 1st Reading

House: Ref To Com On Education - K-12

H 1143: SPENCER MOUNTAIN CHARTER.

House: Passed 1st Reading

House: Ref To Com On Local Government

S 882: GLEN ALPINE DEANNEXATION.

Senate: Passed 1st Reading

Senate: Ref to State and Local Government. If fav, re-ref to Finance

S 883: CHADBOURN CHARTER/TOWN APPOINTMENTS.

Senate: Passed 1st Reading

Senate: Ref To Com On State and Local Government

S 888: BUNCOMBE SCHOOL CAPITAL FUND COMMISSION.

Senate: Passed 1st Reading

Senate: Ref To Com On Education/Higher Education

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