

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL 559

Short Title: Fingerprinting Upon Arrest. (Public)

Sponsors: Senators J. Jackson and Britt (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 3, 2017

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT WHEN A PERSON IS CHARGED WITH AN OFFENSE WHICH REQUIRES MANDATORY FINGERPRINTING, FINGERPRINTING WILL BE ORDERED BY THE COURT IF THE OFFENDER WAS NOT ARRESTED AND FINGERPRINTED AT THE TIME OF THE OFFENSE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 15A-502 is amended by adding a new subsection to read:

"§ 15A-502. **Photographs and fingerprints.**

...

(e) Fingerprints or photographs taken pursuant to subsection (a), (a1), or (a2) of this section may be forwarded to the State Bureau of Investigation, the Federal Bureau of Investigation, or other law-enforcement agencies.

(f) If a person is charged with an offense for which fingerprints are required pursuant to this section, but the person is not arrested for that offense, the court before which the charge is pending shall order the defendant to submit to fingerprinting by the Sheriff or other appropriate law enforcement agency at the earliest practical opportunity. If the person fails to appear for fingerprinting as ordered by the court, the sheriff shall so inform the court, and the court may initiate proceedings for criminal contempt against the person pursuant to G.S. 5A-15, including issue of an order for arrest pursuant to G.S. 5A-16, if necessary. The defendant shall continue to be subject to the court's order to provide fingerprints until submitted.

**SECTION 2.** This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.

