

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**HOUSE BILL 1439
Committee Substitute Favorable 5/27/05**

Short Title: Exclusionary Rule/Good Faith Exception.

(Public)

Sponsors:

Referred to:

April 21, 2005

**A BILL TO BE ENTITLED
AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION
TO STUDY THE STATE'S EXCLUSIONARY RULE.**

The General Assembly of North Carolina enacts:

SECTION 1. The Legislative Research Commission may study the State's exclusionary rule, and consider in particular the following:

(a) Whether G.S. 15A-974 as currently written reflects the proper balancing of the individual's right to privacy with law enforcement's need to investigate crime and enforce laws.

(b) Whether criminal evidence should be suppressed for a constitutional violation if the person committing the violation was acting in reliance upon a search warrant in good faith belief that the search warrant was valid.

SECTION 2. The Legislative Research Commission may make an interim report, including proposed legislation, to the 2006 Regular Session of the 2005 General Assembly and shall make its final report to the 2007 General Assembly upon its convening.

SECTION 3. The Legislative Services Officer shall allocate funds appropriated to the General Assembly for the expenditures of the Legislative Services Commission in conducting this study.

SECTION 4. This act is effective when it becomes law.

House Bill 1439

2005-2006 Session

Exclusionary Rule/Good Faith Exception.

View Bill Digest		Status:
Text	Fiscal Note	Re-ref Com On Rules, Calendar, and Operations of the House on 05/31/2005
Filed [HTML]	-	Sponsors
Edition 1 [HTML]	-	Primary: Stam;
Edition 2 [HTML]	-	Co: Capps; Dollar;
		Attributes: Public; Text has changed;

History

Date	Chamber	Action
04/20/2005	House	Filed
04/21/2005	House	Ref To Com On Judiciary III
05/27/2005	House	Reptd Fav Com Substitute
05/27/2005	House	Cal Pursuant Rule 36(b)
05/31/2005	House	Withdrawn From Cal
05/31/2005	House	Re-ref Com On Rules, Calendar, and Operations of the House