



CHAPTER 15A
ARTICLE 30 - PROBABLE-CAUSE HEARING

N.C.G.S. § 15A-615.

Testing of certain persons for sexually transmitted infections.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2021-180, s. 19C.9(p) — eighth act in the lineage	21 September 2026, 03:00 UTC	a675611ca3cd7f96bf3802b1 - bda68e197201dbaec7a9d1f0 - 9893cc8ed9271614

§ 15A-615(a) After a finding of probable cause pursuant to the provisions of Article 30 of Chapter 15A of the General Statutes or indictment for an offense that involves nonconsensual vaginal, anal, or oral intercourse; an offense that involves vaginal, anal, or oral intercourse with a child 12 years old or less; or an offense under G.S. 14-202.1 that involves vaginal, anal, or oral intercourse with a child less than 16 years old; the victim or the parent, guardian, or guardian ad litem of a minor victim may request that a defendant be tested for the following sexually transmitted infections:

- (1) Chlamydia;
- (2) Gonorrhea;
- (3) Hepatitis B;
- (3a) Herpes;
- (4) HIV; and
- (5) Syphilis.

In the case of herpes, the defendant, pursuant to the provisions of this section, shall be examined for oral and genital herpetic lesions and, if a suggestive but nondiagnostic lesion is present, a culture for herpes shall be performed.

§ 15A-615(b) Upon a request under subsection (a) of this section, the district attorney shall petition the court on behalf of the victim for an order requiring the defendant to be tested. Upon finding that there is probable cause to believe that the alleged sexual contact

involved in the offense would pose a significant risk of transmission of a sexually transmitted infection listed in subsection (a) of this section, the court shall order the defendant to submit to testing for these infections. A defendant ordered to be tested under this section shall be tested not later than 48 hours after the date of the court order. A test for HIV ordered pursuant to this section shall use the HIV-RNA Detection Test for determining HIV infection.

§ 15A-615(c)

If the defendant is in the custody of the Division of Prisons of the Department of Adult Correction, the defendant shall be tested by the Division of Prisons of the Department of Adult Correction. If the defendant is not in the custody of the Division of Prisons of the Department of Adult Correction, the defendant shall be tested by the local health department. The Division of Prisons of the Department of Adult Correction shall inform the local health director of all test results. The local health director shall ensure that the victim is informed of the results of the tests and counseled appropriately. The agency conducting the tests shall inform the defendant of the results of the tests and ensure that the defendant is counseled appropriately. The results of the tests shall not be admissible as evidence in any criminal proceeding.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
8 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

	1993		2007				2021
	TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT						
Nº	YEAR	ACT	CHARACTER				
01	1993	c. 489, s. 1	ENACTED				
02	1994	Ex. Sess., c. 8, s. 1	AMENDED				
03	2006	S.L. 2006-226, s. 10	AMENDED				
04	2006	S.L. 2006-264, s. 33(a)	AMENDED				
05	2007	S.L. 2007-403, s. 1	AMENDED				
06	2011	S.L. 2011-145, s. 19.1(h)	AMENDED				
07	2017	S.L. 2017-186, s. 2(aaa)	AMENDED				

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 14-202.1	(a)	"or less; or an offense under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 15A-615 (2021).

PINPOINT

N.C. Gen. Stat. § 15A-615(a) (2021).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

This document reproduces the text of one section of the General Statutes of North Carolina from a source file whose SHA-256 digest is printed on every page. The digest fixes the bytes this export was made from; if the State's file changes, the digest will not match.

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1993, c. 489, s. 1; 1994, Ex. Sess., c. 8, s. 1; 2006-226, s. 10; 2006-264, s. 33(a); 2007-403, s. 1; 2011-145, s. 19.1(h); 2017-186, s. 2(aaa); 2021-180, s. 19C.9(p).)

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