

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2003-101
HOUSE BILL 689**

AN ACT CONFORMING RULE 103 OF THE NORTH CAROLINA RULES OF
EVIDENCE TO THE CORRESPONDING FEDERAL RULE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 8C-1, Rule 103(a), reads as rewritten:

"(a) Effect of erroneous ruling. – Error may not be predicated upon a ruling which admits or excludes evidence unless a substantial right of the party is affected, and

- (1) Objection. – In case the ruling is one admitting evidence, a timely objection or motion to strike appears of record. No particular form is required in order to preserve the right to assert the alleged error upon appeal if the motion or objection clearly presented the alleged error to the trial court;
- (2) Offer of proof. – In case the ruling is one excluding evidence, the substance of the evidence was made known to the court by offer or was apparent from the context within which questions were asked. Once the court makes a definitive ruling on the record admitting or excluding evidence, either at or before trial, a party need not renew an objection or offer of proof to preserve a claim of error for appeal."

SECTION 2. This act becomes effective October 1, 2003, and applies to rulings on evidence made on or after that date.

In the General Assembly read three times and ratified this the 21st day of May, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:11 a.m. this 31st day of May, 2003