

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

H

4

HOUSE BILL 316
Committee Substitute Favorable 3/27/07
Senate Judiciary II (Criminal) Committee Substitute Adopted 7/25/07
Senate Judiciary II (Criminal) Committee Substitute #2 Adopted 7/27/07

Short Title: Amend Civil Procedure Rule 45.

(Public)

Sponsors:

Referred to:

February 22, 2007

A BILL TO BE ENTITLED

1
2 AN ACT TO AMEND RULE 45 OF THE RULES OF CIVIL PROCEDURE TO
3 ESTABLISH AN OBLIGATION TO PROVIDE NOTICE TO ALL PARTIES TO
4 AN ACTION OF RECEIPT OF MATERIAL PRODUCED IN COMPLIANCE
5 WITH A SUBPOENA, AND TO PROVIDE A REASONABLE OPPORTUNITY
6 TO INSPECT SUCH MATERIAL.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 1A-1, Rule 45, is amended by adding a new subsection to
9 read:

10 "(d1) Opportunity for Inspection of Subpoenaed Material. – A party or attorney
11 responsible for the issuance and service of a subpoena shall, within five business days
12 after the receipt of material produced in compliance with the subpoena, serve all other
13 parties with notice of receipt of the material produced in compliance with the subpoena
14 and, upon request, shall provide all other parties a reasonable opportunity to copy and
15 inspect such material at the expense of the inspecting party."

16 **SECTION 2.** This act becomes effective October 1, 2007, and applies to
17 actions filed on or after that date.