

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** House Bill 394  
**SHORT TITLE:** Dogfights/Gambling/Felony  
**SPONSOR(S):** Representative Jarrell

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b>(in millions)</b>				
	<b><u>FY 1997-98</u></b>	<b><u>FY 1998-99</u></b>	<b><u>FY 1999-00</u></b>	<b><u>FY 2000-01</u></b>	<b><u>FY 2001-02</u></b>
<b>GENERAL FUND</b>					
<b>Correction</b>					
Recurring					
Nonrecurring					
			No Fiscal Impact		
<b>Judicial</b>					
Recurring					
Nonrecurring					
<b>TOTAL EXPENDITURES</b>	_____	_____	_____	_____	_____
<p><b>POSITIONS:</b> It is anticipated that approximately 0 positions would be needed to supervise the additional inmates housed under this bill. This is based on inmate to employee ratios, provided by the Division of Prisons, for close, medium, and minimum custody facilities (These position totals include security, program, and administrative personnel.).</p> <p style="text-align: center;">Close – 2 to 1 Medium – 3 to 1 Minimum – 4 to 1</p> <p><b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b> Dept. of Correction; Judicial Branch</p> <p><b>EFFECTIVE DATE:</b> December 1, 1997</p>					

**BILL SUMMARY:** *TO MAKE ORGANIZED DOGFIGHTING A FELONY.* Adds GS 14-362.2 to make it a class I felony to promote, conduct, or be employed in organized dogfighting; wager anything of value on organized dogfighting; receive money for admission of another person to place kept for organized dogfighting; own, possess, or train a dog with the intent that dog be used in organized dogfighting; or allow property under the person's ownership or control to be used for organized dogfighting. Makes it a class 2 misdemeanor to

participate as spectator at organized dogfight. Declares void any lease of property used or intended to be used for organized dogfighting; lessor who knows this use must evict lessee immediately. Requires animal control officer under GS 130A-184(1) to confiscate any dog that has been or is intended to be used in organized dogfighting. Makes conforming changes to GS 14-362.1 and 14-292. Applies to offenses committed on or after Dec. 1, 1997.

**ASSUMPTIONS AND METHODOLOGY:** Department of Correction

Currently, the Judicial Department does not have a code for offenses relating specifically to dog fights. In 1996, there were seven defendants convicted of misdemeanor animal fighting, which may include fights involving dogs, cocks, cats, etc. Based on this finding, the Sentencing Commission does not expect that the proposed legislation would have any significant impact on prison populations. The Sentencing Commission estimates, for example, that if 10 individuals were convicted of these offenses per year approximately 1 or 2 additional inmates would be added to the prison population. If there were as many as 30 convictions no more than 3 to 6 additional inmates would be added to the prison system. These few potential additional inmates could be absorbed within existing Department of Correction resources.

Likewise, there would not be a significant fiscal impact on the Judicial Branch as there would not be any major changes in the time required to process or dispose of these cases.

**SOURCES OF DATA:** Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION**

**733-4910**

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**APPROVED BY:** Tom L. Covington **TomC**

**DATE:** March 25, 1997



**Signed Copy Located in the NCGA Principal Clerk's Offices**