

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 882 (Proposed Committee Substitute)

SHORT TITLE: Civil Penalties Law Clarified

SPONSOR(S): Senator Winner

FISCAL IMPACT

Yes () No (X) No Estimate Available ()

FY 1998-99 FY 1999-00 FY 2000-01 FY 2001-02 FY 2002-03

REVENUES

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: Office of State Budget & Management; All state agencies with civil penalties

EFFECTIVE DATE: This act is effective when it becomes law.

BILL SUMMARY: The act requires state agencies to deposit the clear proceeds of civil penalties and civil forfeitures into the Civil Penalty and Forfeiture Fund.

ASSUMPTIONS AND METHODOLOGY: There is no fiscal impact because section 8.20 of the 1997 Appropriations Act (S. L. 1997-443) established the Civil Penalty and Forfeiture Fund and directed all state agencies to remit the proceeds of all civil penalties and civil forfeitures to the Office of State Budget & Management for deposit into this fund. This legislative action was prompted by a 1996 state supreme court ruling in Craven County Board of Education v. Boyles that said state agencies must also comply with the section of the state constitution requiring penalties and fines be used to benefit public schools. It is estimated that agencies will transfer \$3 to \$5 million a year into the Civil Penalty and Forfeiture Fund.

FISCAL RESEARCH DIVISION (733-4910)

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Official

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