

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 931 < 2nd Edition>
SHORT TITLE: Orange County Hunting Regulation
SPONSOR(S): Representatives Insko and Hackney

FISCAL IMPACT

Yes ()	No (X)	No Estimate Available (X) (county jails)		
<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>

REVENUES

EXPENDITURES

Department of Correction – No fiscal impact
Judicial Branch – No fiscal impact

(Although we cannot project the number of new county jail inmates due to this bill, it should be noted that Class 3 misdemeanants could receive active jail sentences.)

POSITIONS: 0

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: Judicial Branch and Dept. of Correction

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

BILL SUMMARY:

The proposed bill, which pursuant to Section 4 applies only in Orange County, authorizes a county to regulate, prohibit (etc.) hunting with firearms by persons under the influence of alcohol or other impairing substances, or who have any blood alcohol concentration as measured by an Alco sensor. In Section 2, the county may regulate (etc.) hunting within 150 yards of any federal, State, or local government building, including those owned or leased by boards of education. Any person violating such an ordinance is guilty of a Class 3 misdemeanor, punishable as provided in G.S. 14-4 (“Violation of local ordinance misdemeanor”).

The 2nd Edition specifies that “impairing substances” are those defined in GS 20-4.01.

ASSUMPTIONS AND METHODOLOGY:

Judicial and Department of Correction

To the extent that Orange County enacts ordinances under this authority, resulting in charges that would not be offenses under any provision of current law, there would be additional court workload. The AOC, however, is unable to provide an estimate for the likely impact on the court system. Notwithstanding, Fiscal Research Division believes there would not be an increased fiscal impact on the AOC from this single bill.

In addition, if charges were to occur, the violation would be a Class 3 misdemeanor. Given this, Fiscal Research does not expect an impact on the prison population. In some cases though, local jails may be impacted. In 1999/2000, 17% of Class 3 misdemeanors resulted in active sentences, with an average sentence length of 8 days. Offenders serving active sentences of less than 90 days are housed in county jails.

SOURCES OF DATA: Department of Correction; Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: 733-4910

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DATE: May 21, 2001



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