

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 1327 (First Edition)

SHORT TITLE: Schools Notified of Gang Membership.

SPONSOR(S): Representatives Justice, Cleveland, Langdon, and Folwell

FISCAL IMPACT					
	Yes ()	No ()	No Estimate Available (X)		
	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>
REVENUES:	No significant fiscal impact anticipated				
EXPENDITURES:					
POSITIONS	-	-	-	-	-
(cumulative):					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Local law enforcement agencies; local schools and Boards of Education					
EFFECTIVE DATE: December 1, 2009					

BILL SUMMARY:

This bill directs law enforcement agencies to notify the school of a student is validated as a gang member and also authorizes local Boards of Education to place reasonable conditions on the enrollment of gang members. Amends Article 13A of G.S. Chapter 14 by enacting new G.S. 14-50-27A and G.S. 115C-391. Effective December 1, 2009.

ASSUMPTIONS AND METHODOLOGY:

General

Fiscal Research does not anticipate a fiscal impact to the state as a result of the implementation of this bill. Because the language of the bill says that the School Board “may” place restrictions on reenrollment, any response to this bill on behalf of the School Board is optional and will not place any new financial obligations on school districts.

NC Association of Chiefs of Police

The NC Association of Chiefs of Police staff reported to Fiscal Research the following concerns regarding the implementation of this bill. The Association was not able to provide an estimate of the potential costs to local law enforcement agencies.

- It is not clear how law enforcement agencies will verify that a person is involved in gang activity. Because this process is not defined in the bill, no estimate can be prepared regarding the time that will be required by officers to contact schools.
- There is concern regarding any liability the law enforcement agencies may have if they “verify” a gang member. It is unclear if this liability will be on the law enforcement agencies or on the schools.
- It is not clear if this bill requires law enforcement agencies to investigate the existence of gangs and gang members or if they only need participate if there is already knowledge of existing gangs and gang members.

SOURCES OF DATA: NC Association of Chiefs of Police

TECHNICAL CONSIDERATIONS: None

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