



# NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

## Legislative Fiscal Note

**Short Title:** Child Sex Abuse/Strengthen Laws.  
**Bill Number:** House Bill 596 (First Edition)  
**Sponsor(s):** Representatives Riddell, Faircloth, Torbett, and B. Turner

### SUMMARY TABLE

#### FISCAL IMPACT OF H.B. 596, V.1

	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
<b>State Impact</b>					
General Fund Revenue	-	-	-	-	-
Less Expenditures	-	-	-	-	-
<b>General Fund Impact</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>				

<b>NET STATE IMPACT</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>
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### FISCAL IMPACT SUMMARY

This fiscal note addresses the fiscal impact of the bill on the operations of the Administrative Office of the Courts (AOC). The fiscal impact of the penalties created or modified in the bill upon AOC, the Office of Indigent Defense Services (IDS), and the Department of Public Safety (DPS) are addressed in a separate Legislative Incarceration Fiscal Note.

Fiscal Research cannot estimate the total fiscal impact of the changes in this bill at this time. There would likely be a cost to the AOC trial courts personal services from additional civil cases or to AOC's Technology Services Division from cases involving high-risk sex offenders. The number of these cases heard by the courts will determine whether these costs would be significant or insignificant.

### FISCAL ANALYSIS

Section 4 would create new limits for sex offenders using commercial social networking web sites. This section would require AOC to modify its forms and information systems to capture the age of the victim. The definition of "high-risk sex offender" appears to require an affirmative finding by the sentencing court of the victim's age when a sex offense is committed against a minor but the offense of conviction doesn't inherently involve a minor victim. That finding would have to be memorialized on all AOC forms for judgments of conviction. For the state and law enforcement agencies to identify potential offenders and persons subject to the additional reporting item, that finding may have to be captured in the AOC electronic systems with possible adjustments to interfaces with partner agencies. Fiscal Research cannot estimate the cost to AOC of these changes at this time.

Sections 5 and 6 would expand the list of crimes for which an investigative grand jury can be convened and would expand the authority of district attorneys to issue a subpoena duces tecum. Fiscal Research does not estimate that either of these would have a significant fiscal impact on AOC, but cannot estimate an exact amount.

Section 7 would extend the statute of limitations for civil actions by victims of child sexual abuse until the victim turns 50 years of age. Fiscal Research cannot estimate the number of civil actions that would result from this change. If any additional civil actions are filed, the average cost to the courts for each filed in superior court would be \$1,759 per case, while any filed in district court would average \$667 per case.

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## **TECHNICAL CONSIDERATIONS**

N/A.

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## **DATA SOURCES**

ADMINISTRATIVE OFFICE OF THE COURTS

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## **LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS**

This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

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## **CONTACT INFORMATION**

Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

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## **ESTIMATE PREPARED BY**

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## **ESTIMATE APPROVED BY**

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April 23, 2019



Signed copy located in the NCGA Principal Clerk's Offices