

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 1188 (As Amended)

SHORT TITLE: Trespass/Theft of Pine Straw

SPONSOR(S): Senator Albertson

FISCAL IMPACT: Expenditures: Increase () Decrease ()
Revenues: Increase () Decrease ()
No Impact (X)
No Estimate Available ()

FUNDS AFFECTED: General Fund () Highway Fund () Local Fund ()
Other Fund ()

BILL SUMMARY: TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW. Amends GS 14-159.6 to provide that person who willfully goes on land of another on which notice prohibiting raking or removing pine needles/straw has been posted, without written consent of owner or agent, is guilty of Class 1 misdemeanor for first offense and Class I felony for second and subsequent offenses. Adds new GS 14-79.1 to provide that person who takes and carries away pine needles/straw on the land of another with the intent to steal the pine needles/straw is guilty of a Class H felony.

Senate Amendment - June 19, 1996

Increases punishments for making a false report concerning a destructive device and perpetrating hoax by use of false bomb or other device from a Class 1 misdemeanor to a Class I felony. Also makes a second or subsequent conviction a Class H felony.

EFFECTIVE DATE: December 1, 1996

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Department of Correction; Judicial Branch

FISCAL IMPACT
DEPARTMENT OF CORRECTION AND JUDICIAL DEPARTMENT

Table with 5 columns: FY 1996-97, FY 1997-98, FY 1998-99, FY 1999-00, FY 2000-01

TOTAL EXPEND.

CORRECTION NO
FISCAL IMPACT

JUDICIAL

ASSUMPTIONS AND METHODOLOGY: Department of Correction and Judicial Branch

The Administrative Office of the Courts (AOC) does not anticipate that this legislation would have a substantial impact on the Judicial Branch as there would not be any significant changes in how cases are processed or disposed.

The AOC believes that the very few additional cases which may result from this bill could be absorbed within existing resources.

Likewise, the proposed legislation would not have a significant fiscal impact on the Department of Correction, assuming that the courts would order active sentences in a very minimal number of cases.

Fiscal Impact of Amendment

The proposed amendment would not have any significant fiscal impact on the Department of Correction or the Judicial Department. The Sentencing Commission estimates that approximately 2-9 individuals would be incarcerated annually over the next five years. The very small increase in incarcerated individuals and court filings could be absorbed within existing Department of Correction and Judicial Department resources.

SOURCES OF DATA: Department of Correction, 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 /s/TomC

DATE: June 18, 1996



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