

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 348 2nd Edition Stop Misuse of Laser Pointers

SHORT TITLE: Stop Misuse of Laser Pointers

SPONSOR(S): Sen. Forrester

FISCAL IMPACT

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

FY 1999-00 FY 2000-01 FY 2001-02 FY 2002-03 FY 2003-04

REVENUES

EXPENDITURES

No fiscal impact anticipated. Any impact could be absorbed within existing resources.

POSITIONS:

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: Judicial Branch, Department of Correction.

EFFECTIVE DATE: December 1, 1999

BILL SUMMARY:

STOP MISUSE OF LASER POINTERS. TO PROHIBIT THE MISUSE OF LASER DEVICES.
Adds a new GS 14-34.8 to make it unlawful to point a laser device at another person intentionally while the device is emitting radiation. Makes violation a Class 1 misdemeanor. Defines 'laser' as light amplification by simulated emission of radiation. Exempts the use of a laser device by a law enforcement officer who uses it in attempting to discharge official duties or by someone who uses it in carrying out the person's professional duties. Effective Dec. 1, 1999 and applies to offenses committed on or after that date.

Source: Institute of Government, Daily Bulletin, March 15, 1999.

Senate committee substitute makes the following changes to 1st edition. Revises proposed GS 14-34.8 to provide that section does not apply to laser tag and similar games and devices using light-emitting diode (LED) technology.

Source: Institute of Government, Daily Bulletin, April 19, 1999.

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

The Administrative Office of the Courts (AOC) does not have an estimate of the possible number of offenses that would be charged under the bill but assumes that the new Class 1 misdemeanor charges would result from the private misuse of such devices. The Fiscal Research Division believes that the offenses charged under the bill would be very few and could be absorbed using current resources.

Department of Correction

The total fiscal impact is anticipated to be small due to the minimal number of convictions and limited active sentences for a Class 1 misdemeanor. Only those convicted at prior record level III could receive a prison sentence and of that group only 42 percent receive an active sentence.

For example, if there were 175 convictions, the combined effect of active sentences and probation revocations resulting in prison time would provide the need for only one additional prison bed per year. The Fiscal Research Division believes that any convictions under the bill could be absorbed with current resources.

TECHNICAL CONSIDERATIONS: none

FISCAL RESEARCH DIVISION 733-4910

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DATE: Tuesday, April 20, 1999



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