

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** SB 637 Expand Assault on School Personnel

**SHORT TITLE:** Expand Assault on School Personnel

**SPONSOR(S):** Senator Rand

**FISCAL IMPACT**

Yes ( )	No (X)	No Estimate Available ( )		
<u>FY 1999-00</u>	<u>FY 2000-01</u>	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>

Department of Correction

No Fiscal Impact

Judicial Department

**PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:** Judicial Department; Department of Correction

**EFFECTIVE DATE:** December 1, 1999

**BILL SUMMARY:** *TO EXPAND THE LAW OF ASSAULT TO PROTECT SCHOOL PERSONNEL AND SCHOOL VOLUNTEERS.* Amends GS 14-33(c) to delete current subsection (c)(5), regarding assault on school bus drivers and monitors and school employees who are boarding or aboard a school bus. Adds subsection (c)(6) making it a Class A1 misdemeanor to assault a school employee or volunteer when he or she is discharging duties, or as result of discharge of duties. Defines duties to include all activities on school property; activities during school-authorized event or accompanying of students to or from that event; and activities relating to operation of school transportation. Effective Dec. 1, 1999, and applicable to offenses on or after that date.

**ASSUMPTIONS AND METHODOLOGY:**

Judicial Department

This legislation would make it a Class A1 misdemeanor to assault any school employee or volunteer at school while that individual is discharging or attempting to discharge their duties. Currently, assaults on school employees fall under the assaults on government employees statute and are punished as Class A1 misdemeanors. Therefore, this legislation would affect the punishment level for assaults on school volunteers that are currently handled under the simple assault statute as Class 2 misdemeanors as well as the broader language that includes all school employees.

The Fiscal Research Division does not believe that this legislation would have a substantial fiscal impact on the court system. It is anticipated that most of the potential additional cases are already covered under existing statutes and that the minor increases in penalties (Class 2 to A1 misdemeanor) would not result in a significant increase in jury trials and court time. The Fiscal Research believes any additional workload could be absorbed within existing court resources.

Department of Correction

Likewise, it is not anticipated that this bill would have a substantial impact on the Department of Correction. For instance, if 50 additional individuals were convicted each year, it is estimated that 5 prison beds would be needed. These potential additional beds could be absorbed within existing DOC resources.

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION 733-4910**

**PREPARED BY:** Charles Perusse

**APPROVED BY:** Tom Covington

**DATE:** Monday, April 26, 1999



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