

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: Senate Bill 759 Sexual Privacy Act

SHORT TITLE: Sexual Privacy Act

SPONSOR(S): Senators Kinnaird, Gulley and Lucas

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>
REVENUES		None			
EXPENDITURES		Potential slight decrease in offenders supervised by Department of Correction or in local jails			
		May increase or decrease court workload slightly			
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:		Administrative Office of the Courts; Department of Correction			
EFFECTIVE DATE:		Effective when it becomes law.			

BILL SUMMARY: S 759. SEXUAL PRIVACY ACT. RELATING TO CRIMINAL PENALTIES FOR PRIVATE SEXUAL ACTIVITY BETWEEN CONSENTING ADULTS. Amends GS 14-177, which makes the act of crime against nature a Class I felony, to provide the act is not a crime if it occurs between consenting adults in privacy and not for hire. (Institute of Government Daily Bulletin April 5, 1999)

ASSUMPTIONS AND METHODOLOGY:

This Bill narrows the scope of the existing crime against nature law so has the potential to decrease inmates in prison or jail. In 1997-98 there were 56 convictions and 3 active sentences for crime against nature or attempted crime against nature. It is not known whether any of these cases occurred between consenting adults in private and not for hire. If many of them fall in this category, SB 759 has the potential to slightly decrease the inmate population. This would not have a significant impact on resources of the Department of Correction.

There may also be a slight effect on the workload in the Judicial Branch. The law may result in fewer prosecutions and fewer hours spent by Assistant DA's, Judges and Clerks. However, there may be in some instances more time spent in handling cases if the issue of "consenting adult" is contested. In either case the effect would not significantly effect the Judicial Branch.

TECHNICAL CONSIDERATIONS: None

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DATE: Wednesday, April 28, 1999



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