

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: Senate Bill 999 2nd Edition Right to Keep and Bear Arms Protection Act
House Bill 938 2nd Edition

SHORT TITLE: Right to Keep and Bear Arms Protection Act

SPONSOR(S): Senator Fountain Odom / Representatives Sexton and Moore

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					
EXPENDITURES	NONE				
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Administrative Office of the Courts; Department of Justice; Local Governments				
EFFECTIVE DATE:	Effective when it becomes law; applies to action pending or filed on or after that date.				

BILL SUMMARY: SB 999 (1) amends the law (GS 14-409.40) establishing statewide uniformity of local regulation of firearms to specify that it is the *unlawful use* of firearms that is the proximate cause of injuries arising from unlawful use. (2) It also establishes that the authority to bring suit against firearms manufacturers, dealers, etc is reserved for the State. The Attorney General can not bring action without concurrent resolution of the General Assembly. Local government and political subdivisions can bring suits related to breach of contract or defects in products they purchase.

ASSUMPTIONS AND METHODOLOGY:

This language in Section 1 could affect the legal issues in some civil actions. Section 2 limits potential civil action by local governments and by the Attorney General. While both these sections may affect future legal actions, there is no evidence to suggest either a positive or negative impact on Judicial System or Department of Justice workload.

TECHNICAL CONSIDERATIONS:

1st Editions of companion bills were identical. House 2nd Edition only changes title to Firearms/Ammunition Preemption .Senate 2nd Edition has technical changes. Fiscal impact is same for both bills. House Bill passed House April 27th.

There are no other known instances where the Attorney General is required to get a resolution form the General Assembly before taking action.

FISCAL RESEARCH DIVISION 733-4910

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DATE: Wednesday, April 28, 1999



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