

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1426

SHORT TITLE: Repeal Safe Deposit Inventory Fee

SPONSOR(S): Representative Carpenter

FISCAL IMPACT:

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

FUND AFFECTED:

General Fund (X)	Highway Fund ( )	Local Fund ( )
Other Funds ( )		

BILL SUMMARY: Repeals the \$15 per-box, per-day, fee assessed by clerks of superior court pursuant to GS 7A-307(b1)(3) when they inventory safe deposit boxes of a decedent in estate administration proceedings.

EFFECTIVE DATE: Estate administration proceedings initiated on or after July 1, 1996.

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Department - Clerks of Superior Court

FISCAL IMPACT

	<u>FY</u> 1996-97	<u>FY</u> 1997-98	<u>FY</u> 1998-99	<u>FY</u> 1999-00	<u>FY</u> 2000-01	<u>FY</u>
REVENUES:						
GENERAL FUND	(\$121,950)	(\$128,048)	(\$134,450)	(\$141,173)		(\$148,000)

ASSUMPTIONS AND METHODOLOGY: The amount of funds collected through imposition of the safe deposit box inventory fee is not identified separately in the AOC court information system - it is listed under "Miscellaneous Fees." In order to determine the amount collected annually, the AOC contacted three clerks of superior court and asked them to estimate the percentage of estates cases in which safe deposit inventories are required.

Based on their responses, the AOC estimated that about 15% of estates cases statewide involve safe deposit inventories. It is assumed that only one safe deposit box is inventoried in each instance (the clerks indicated that multiple boxes are rare) and that each box is inventoried within a one-day period. Based on these assumptions, it is estimated that the fee was assessed approximately 8,130 times during FY 94-95 (15% of 54,197 estate filings). On the assumption that the fee is always paid, 8,130 assessments represent \$121,950 in revenues to the General Fund, revenues that would be lost under this bill. Estimates shown above for years after FY 96-97 are increased by 5% each year.

**SOURCES OF DATA:** Clerks of Superior Court, AOC Court Information System data

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION**

**733-4910**

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