

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 893 < 1st Edition >
SHORT TITLE: Moore Co./No Deer Hunting With Dogs
SPONSOR(S): Representative Morgan

FISCAL IMPACT

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

FY 2001-02 FY 2002-03 FY 2003-04 FY 2004-05 FY 2005-06

REVENUES

EXPENDITURES

Department of Correction – No fiscal impact

Judicial Branch – No estimate available but assume little to no fiscal impact

(Although we cannot project the number of new jail inmates due to this bill, it should be noted that Class 3 misdemeanants could receive active jail sentences.)

POSITIONS: 0

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: Judicial Branch and Dept. of Correction

EFFECTIVE DATE: This act becomes effective when it becomes law.

BILL SUMMARY:

Current G.S. 113-291.5(a) authorizes the Wildlife Resources Commission to regulate the use of dogs taking wildlife with respect to seasons, times, and places of use. This statute applies to 11 specified counties or parts of counties. This bill would amend the statute to add Moore County and delete Randolph County from the list of counties covered. The bill would also repeal Section 6.1(c) of S.L. 1999-301 which required identification for dogs hunting deer in Moore Co.

ASSUMPTIONS AND METHODOLOGY:

Department of Correction

For calendar year 2000, AOC data indicate that 269 defendants were charged under 113-291 (General Restrictions on Regulation of Wildlife) with various misdemeanor offenses. It is not known, however, the number of charges that may have related to the subject matter in 113-291.5. Since violation of this bill is a Class 3 misdemeanor, punishable by a fine of not less than one hundred dollars, Fiscal Research does not expect an impact on the prison population. In some cases though, local jails may be impacted. In 1999/2000, 17% of Class 3 misdemeanors resulted in active sentences, with an average sentence length of 8 days.

Judicial Branch

The Administrative Office of the Courts (AOC) and Fiscal Research are aware of no data from which to estimate how often the prohibited conduct might be charged in Moore County vs Randolph County. However, it is the opinion of AOC that this conduct would not occur with great regularity as to result in substantial impact on the court system. Therefore, Fiscal Research Division believes there would not be an increased fiscal impact on the AOC from this bill.

SOURCES OF DATA: Department of Correction; Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: 733-4910

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