

NORTH CAROLINA GENERAL ASSEMBLY
LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1301

SHORT TITLE: Abduction From Legal Custodian

SPONSOR(S): Representative Clary

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

FUNDS AFFECTED: **General Fund ()** **Highway Fund ()** **Local Fund ()**
 Other Fund ()

BILL SUMMARY: TO PROVIDE THAT IT IS A CLASS F FELONY TO ABDUCT A CHILD FROM ANY PERSON, AGENCY, OR INSTITUTION LAWFULLY ENTITLED TO THE CHILD'S CUSTODY, AS RECOMMENDED BY THE CHILD FATALITY TASK FORCE. Rewrites GS 14-41 as title indicates. Also adds provision making it Class F felony to induce minor child to leave custody of person entitled to it, if defendant is four or more years older than child (now, is Class F felony to abduct from or induce child under 14 to leave residence or school if child lives with specified relatives or at a school or orphanage).

EFFECTIVE DATE: December 1, 1996

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

FISCAL IMPACT

	<u>FY</u>	<u>FY</u>	<u>FY</u>	<u>FY</u>	<u>FY</u>
	1996-97	1997-98	1998-99	1999-00	2000-01

TOTAL EXPENDITURES
RECURRING
NON-RECURRING

NO FISCAL IMPACT

POSITIONS: No new positions

ASSUMPTIONS AND METHODOLOGY: Judicial Branch

The Administrative Office of the Courts (AOC) does not anticipate that this legislation would have a substantial impact on the Judicial Branch as there would not be any significant changes in how cases are processed or disposed.

The AOC believes that the very few additional cases which may result from this bill could be absorbed within existing resources.

ASSUMPTIONS AND METHODOLOGY: Department of Correction

Likewise, the proposed legislation would not have a significant fiscal impact on the Department of Correction. The Sentencing and Policy Advisory Commission maintains that this bill is very similar to existing legislation, and therefore, would not have a significant impact on the prison population.

Subsequently, based on this information, no substantial fiscal impact is anticipated for this legislation at this time.

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

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

PREPARED BY: Charles Perusse

APPROVED BY: Tom L. Covington /s/TomC

DATE: June 17, 1996

Official

**Fiscal Research Division
Publication**



Signed Copy Located in the NCGA Principal Clerk's Offices