

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 359

SHORT TITLE: Blue Light Bandit/Felony

SPONSOR(S): Senator Albertson

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 MAKE IT A FELONY OFFENSE TO IMPERSONATE A LAW ENFORCEMENT OFFICER BY UNLAWFULLY OPERATING A MOTOR VEHICLE WITH AN OPERATING BLUE OR RED LIGHT." Amends G.S. 14-277(d) to make it a Class I felony to falsely represent to another that one is a sworn law enforcement officer by unlawfully operating a vehicle with an operating red or blue light. Also makes it a Class I felony, while falsely representing to another that one is a sworn law enforcement officer, to search any vehicle, building, or premises with or without a warrant (now, both offenses are Class 1 misdemeanors).

EFFECTIVE DATE: December 1, 1995; applies to offenses committed on or after that date.

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

FISCAL IMPACT

FY 95-96 FY 96-97 FY 97-98 FY 98-99
FY99-00

EXPENDITURES
NON-RECURRING

RECURRING NO FISCAL IMPACT

ASSUMPTIONS AND METHODOLOGY: JUDICIAL BRANCH

The proposed legislation seeks to make it a felony offense to impersonate a law officer. This offense is currently a Class 1 misdemeanor. The proposed legislation would raise this offense to a Class I felony.

According to the Administrative Office of the Courts there were 70 defendants charged with impersonating a police officer in 1994. Under the proposed legislation, these individuals would be charged with a Class I felony. The Administrative Office of the Courts believes that the increased workload resulting from the additional Class I felonies in superior court could be absorbed within existing resources.

ASSUMPTIONS AND METHODOLOGY: DEPARTMENT OF CORRECTION

The proposed legislation is not anticipated to have a significant impact on the Department of Correction, assuming that the courts would order active sentences in a very minimal number of cases. The North Carolina Sentencing and Policy Advisory Commission estimate that, as a result of the proposed legislation, 6 additional inmates would be added in FY 1995/96, 11 in FY 1996/97, and 12 in FY 1997/98, FY 1998/99 and FY 1999/2000. The anticipated small increase in the number of state prison inmates could be handled within current Department of Correction resources.

SOURCES OF DATA: Administrative Office of the Courts; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS:

G.S. 20-130.1 makes the installation, activation, operation, or possession of a blue light in or on any vehicle in this state a Class 1 misdemeanor. Under G.S. 14-277(a), one way to falsely represent oneself to be a law enforcement officer is by the unlawful operation of a vehicle with an operating red or blue light on a public road; thus, for the same behavior, one could be charged with either a misdemeanor under G.S. 20-130.1 or a felony under G.S. 14-277.

FISCAL RESEARCH DIVISION

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DATE: March 24, 1995

[FRD#003]



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