

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: Senate Bill 30 (Second Edition) CSSU-2 [v.4]
SHORT TITLE: Outlaw Taking of Sea Oats
SPONSOR(S): Senator Ballantine

FISCAL IMPACT					
	Yes ()	No (X)	No Estimate Available ()		
	<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>
REVENUES					
EXPENDITURES					<u>No Fiscal Impact</u>
POSITIONS:					
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:	Dept. of Correction; Judicial Branch				
EFFECTIVE DATE:	Applies to offenses committed on or after December 1, 2001				

BILL SUMMARY:

Creates new section G.S. 14-129.2 making it a Class 3 misdemeanor to dig up, pull up, or take sea oats from another person's or public property. The new section would apply statewide and punishment is specified as a fine of not less than \$25 or more than \$200.

ASSUMPTIONS AND METHODOLOGY:

According to the Sentencing Commission, it is not known how many offenders might be sentenced under this bill since this bill covers conduct that is currently not a criminal offense. However, since this proposed bill creates a new Class 3 misdemeanor offense punishable only by a fine, it is not expected to have a significant impact on the prison population. Moreover, under Structured Sentencing Guidelines, the range of sentence lengths for Class 3 misdemeanants is 1-20 days, thereby not impacting the prison population.

The Judicial Branch does not have a specific code for offenses relating to G.S. 14-129, but available data for calendar year 2000 reveals 33 charges filed under present G.S. 14-129. Nevertheless, Judicial would not expect the proposed bill to result in a substantial number of new cases.

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION 733-4910

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DATE: March 28, 2001



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