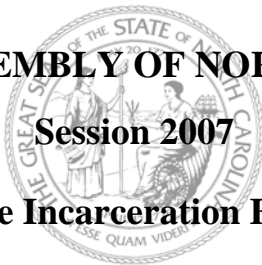


**GENERAL ASSEMBLY OF NORTH CAROLINA**



**Session 2007**

**Legislative Incarceration Fiscal Note**

**(G.S. 120-36.7)**

**BILL NUMBER:** House Bill 1609 (First Edition)  
**SHORT TITLE:** Hair Braider Licensure/Cosmetic Art Act.  
**SPONSOR(S):** Representatives Womble and Parmon

	<b>FISCAL IMPACT</b>				
	<b>Yes (X)</b>	<b>No ( )</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 2007-08</u></b>	<b><u>FY 2008-09</u></b>	<b><u>FY 2009-10</u></b>	<b><u>FY 2010-11</u></b>	<b><u>FY 2011-12</u></b>
<b>REVENUES:</b>					
<b>General Fund</b>		<b>No General</b>	<b>Fund impact</b>		
<b>NC Board of Cosmetic Examiners</b>	<b>\$20,000</b>	<b>\$20,600</b>	<b>\$21,218</b>	<b>\$21,855</b>	<b>\$22,510</b>
<b>EXPENDITURES:</b>					
<b>Correction</b>	<b>No significant fiscal impact is anticipated; however, the exact amount cannot be determined.</b>				
<b>Judicial</b>					
<b>TOTAL EXPENDITURES:</b>	<b>Amount cannot be determined.</b>				
<b>ADDITIONAL PRISON BEDS: (cumulative)*</b>	<b>None anticipated. Jail impact is indeterminate.</b>				
<b>POSITIONS: (cumulative)</b>	<b>None anticipated.</b>				
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>	<b>NC Board of Cosmetic Examiners, Department of Correction; Judicial Branch; Local Government.</b>				
<b>EFFECTIVE DATE:</b>	<b>October 1, 2007.</b>				
<i>*This fiscal analysis is independent of the impact of other criminal penalty bills being considered by the General Assembly, which could also increase the projected prison population and thus the availability of prison beds in future years. The Fiscal Research Division is tracking the cumulative effect of all criminal penalty bills on the prison system as well as the Judicial Department.</i>					

**BILL SUMMARY:** Makes hair braiders subject to the same \$10 per year fee as estheticians and manicurists, and makes violations of the licensing section a Class 3 misdemeanor.

**ASSUMPTIONS AND METHODOLOGY:**

A representative from the NC Board of Cosmetic Art Examiners estimated that the number of hair braiders would most closely approximate the number of estheticians currently practicing in the state. More specifically they are estimated to be 2/3 of that total. There are approximately 3000 estheticians currently in the state so the base number of hair braiders is estimated at 2000. The number of hair braiders is expected to grow by 3%, which is the general growth rate of applicants in the cosmetology field. Therefore the anticipated revenue stream is as follows:

	2007-08	2008-09	2009-10	2010-11	2011-12
<b>Applicants</b>	2000	2060	2122	2185	2251
<b>Fee</b>	\$ 10	\$ 10	\$ 10	\$ 10	\$ 10
<b>Revenue</b>	\$20,000	\$20,600	\$21,218	\$21,855	\$22,510

**General**

Given current resources, any new charge or conviction for the proposed offense will generate some additional fiscal impact. However, *the nature of the offense and proposed penalty level suggest minimal fiscal impact.* Accordingly, few additional charges and convictions are anticipated due to this bill.

**Department of Correction**

Because this bill creates a new criminal offense, there is no historical data from which to estimate the number of additional convictions that might result. However, since *Class 3 misdemeanants serve their designated terms of incarceration within local jails, there is no anticipated impact on the state prison population.*<sup>1</sup> *The potential impact on local jail populations is unknown.*

In FY 2005-06, 23% of Class 3 misdemeanor convictions resulted in active sentences, with an average estimated time served of 8.5 days. Per Structured Sentencing, Class 3 active sentences may range from one to twenty days in length. Consequently, the Department of Correction would not incur any additional costs for county reimbursement.

The remaining 77% of Class 3 misdemeanants in FY 2005-06 received non-active, intermediate or community punishments. Thus, if new convictions were to occur, the Division of Community Corrections (DCC) could incur some additional costs for offenders placed under its supervision.

---

<sup>1</sup> Active sentences between 1-90 days are served in local jails. The Department of Correction reimburses counties \$18 per day for offenders housed longer than 30 days (between 30 and 90). Sentences longer than 90 days are to be served in state prison; however, when bed shortages demand it, the State may lease needed beds from counties.

- Presently, general supervision of intermediate and community offenders by a probation officer costs DCC \$1.96 per offender, per day; no cost is assumed for those receiving unsupervised probation, or who are ordered only to pay fines, fees, or restitution. DCC also incurs a daily cost of \$0.69 per offender sentenced to the Community Service Work Program.
- The daily cost per offender on intermediate sanction is much higher, ranging from \$7.71 to \$14.97 depending on the type of sanction.
- Intensive supervision probation is the most frequently used intermediate sanction, and costs an estimated \$14.97 per offender, per day; on average, intensive supervision lasts six-months, with general supervision assumed for a designated period thereafter.

**Judicial Branch**

Although the number of additional charges is indeterminate, the Administrative Office of the Courts expects that any additional caseload will increase court-time requirements and the associated costs of case disposal. Presently the estimated costs per Class 3 misdemeanor trial and plea are \$2,770 and \$226, respectively. These cost estimates account for indigent defense. However, actual costs may vary with time requirements and disposition.

**SOURCES OF DATA:** NC Board of Cosmetic Examiners, Department of Correction; Judicial Branch; North Carolina Sentencing and Policy Advisory Commission; and Office of State Construction.

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION:** (919) 733-4910

**PREPARED BY:** Joseph Futima and John Poteat

**APPROVED BY:** Lynn Muchmore, Director  
Fiscal Research Division

**DATE:** May 30, 2007



**Signed Copy Located in the NCGA Principal Clerk's Offices**