

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 417

SHORT TITLE: Felony to Assist in Suicide

SPONSOR(S): Representative Decker

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

FUND AFFECTED: General Fund () Highway Fund () Local Fund ()
Other Fund ()

BILL SUMMARY: Adds new G.S. 14-17.2 to provide that any person who knowingly assists another person to commit suicide is guilty of class H felony.

EFFECTIVE DATE: October 1, 1993; applicable to offenses committed on or after that date.

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

FISCAL IMPACT

	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98
EXPENDITURES	0	0	0	0	0
RECURRING					
NON-RECURRING					
REVENUES/RECEIPTS	0	0	0	0	0
RECURRING					
NON-RECURRING					

POSITIONS: No new positions.

ASSUMPTIONS AND METHODOLOGY: It is anticipated that this bill would not have a substantial fiscal impact on the Judicial Department. The Administrative Office of the Courts (AOC) predicts that there would be very few felony filings resulting from this bill.

As noted by the AOC:

"The bill provides that any person who 'knowingly assists another person to commit suicide is guilty of a Class H Felony.' According to statistics from the N.C. Department of Environment, Health, and Natural Resources, in 1991 there were 842 deaths statewide from suicide. No data are available on how many of these suicides may have been knowingly assisted. Although there are doubtless cases where a family member or friend helps a person to commit suicide, it seems

very likely that criminal charges for assisting suicides would comprise a small subset of the total number of suicides, and that very few new criminal cases would be filed."

The AOC further notes that it is likely that this bill, if ratified, would be directed toward the practice of deliberate, 'doctor-assisted' suicide such as those that have recently received wide media attention and are the subject of litigation and legislation in other states. Aside from the possibility of one or very few 'test cases,' it is assumed that that such practices would not be conducted in North Carolina. The AOC predicts that charges of assisting suicide would very rarely, if ever, arise from medical settings other than deliberate efforts to assist suicide. More specifically, it is assumed "that the medical profession would respond to enactment of this bill by reviewing and, if necessary, revising practices relating to discontinuance of life-sustaining equipment and similar matters."

The AOC concludes that while a substantial fiscal impact is not predicted on the Judicial Department due to this individual bill, "at some point, the cumulative additional workload from bills that impact on the courts cannot simply be absorbed, and additional resources will be required."

Pertaining to the Department of Correction, no substantial fiscal impact is predicted due to the very few cases and, hence, convictions that are expected to result from the ratification of this bill.

SOURCES OF DATA: Judicial Department - Administrative Office of the Courts; Department of Environment, Health and Natural Resources

TECHNICAL CONSIDERATIONS: None.

FISCAL RESEARCH DIVISION

733-4910

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DATE: 20-APR-93

[FRD#003]



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