

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 970

SHORT TITLE: Teaching Hate Crimes Unlawful

SPONSOR(S): Senator Carpenter

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: "TO PROVIDE THAT IT IS A MISDEMEANOR TO ASSEMBLE FOR THE PURPOSE OF TEACHING ANY TECHNIQUES TO BE USED FOR THE PURPOSE OF INTIMIDATING A PERSON BECAUSE OF THAT PERSON'S RACE, COLOR, RELIGION, NATIONALITY, OR COUNTRY OF ORIGIN." Amends G.S. 14-401.14 (ethnic intimidation) as title indicates. Violation is misdemeanor punishable by imprisonment up to two years, fine, or both.

EFFECTIVE DATE: October 1, 1993

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
NON-RECURRING					
REVENUES/RECEIPTS	0	0	0	0	0
RECURRING					
NON-RECURRING					

POSITIONS: None

ASSUMPTIONS AND METHODOLOGY: It is not anticipated that the proposed legislation would have a significant impact on the Judicial Department or the Department of Correction (DOC). The Administrative Office of the Courts (AOC) estimates few filings as a result of this bill.

The AOC reports that in 1992 there were no filings coded as hate crimes in North Carolina. However, a representative of the AOC notes that a few offenses are likely to have occurred but were recorded as

assaults or other offenses. Despite the Federal Hate Crimes Statistics Reporting Act of 1990 which requires States to report hate crimes within annual crime reports, the State Bureau of Investigation does not have reliable statistics regarding such offenses.

In a telephone interview, a representative of North Carolinians Against Racist and Religious Violence reported that in the past 12 months, there were 54 documented cases of constitutionally protected activities where behavior relevant to the proposed legislation may have occurred. Given this small number, the number of potential criminal filings (spread across the State) is unlikely to significantly impact the Judicial Branch. Likewise, the small number of potential convictions in conjunction with multiple sentencing options (i.e., a fine, a suspended sentence, or active incarceration for any amount of time up to two years) is unlikely to significantly impact the DOC.

SOURCES OF DATA: Administrative Office of the Courts; State Bureau of Investigation; North Carolinians Against Racist and Religious Violence

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

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DATE: 30-JUNE-93

[FRD#003]



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