

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** House Bill 434

**SHORT TITLE:** Attempting to Elude Arrest/AB

**SPONSOR(S):** Representative Joe Kiser

<b>FISCAL IMPACT:</b>	<b>Expenditures:</b>	<b>Increase ( )</b>	<b>Decrease ( )</b>
	<b>Revenues:</b>	<b>Increase ( )</b>	<b>Decrease ( )</b>
	<b>No Impact (x)</b>		

**BILL SUMMARY:** TO LIMIT, TO MODIFY, AND ENHANCE THE ATTEMPTING TO ELUDE ARREST STATUTES. Adds GS 20-141.5 to make it unlawful to use a motor vehicle to elude arrest. Provides that if two or more of seven specified aggravating factors are present the person operating the vehicle is guilty of a class H felony and the vehicle may be seized. Provides for one year revocation of drivers license of any person convicted of misdemeanor under this section and three year revocation for felony convictions. Repeals current statute on same offense and makes other conforming amendments.

**EFFECTIVE DATE:** October 1, 1995

**PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:**

**FISCAL IMPACT**

	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98	<u>FY</u> 98-99	<u>FY</u>
99-00					
EXPENDITURES					
REVENUES					
	NO FISCAL IMPACT				

**ASSUMPTIONS AND METHODOLOGY:**

The Administrative Office of the Courts estimates that some 750 defendants are convicted per year under the current "speeding to elude" statute, G.S. 20-141(j). This proposed bill would primarily affect these defendants. The enhanced punishments contained in the proposed legislation may lead some defendants who would now plead guilty to insist on a trial; or the enhanced punishments may increase defendants' willingness to plead guilty to a misdemeanor. In either case, the Administrative Office of the Courts does not anticipate that the proposed legislation would have a substantial fiscal impact on the Judicial Branch.

Some additional defendants, who would not be charged with an offense under current law, could be charged under this proposed bill. Based on

a survey of District Attorneys, the Administrative Office of the Courts estimates that this proposed bill would lead to very few additional defendants.

**ASSUMPTIONS AND METHODOLOGY:** Department of Correction

The North Carolina Sentencing and Policy Advisory Commission is unable to precisely estimate the number of individuals who would receive active prison terms. However, it is not anticipated, based on the information provided by the Administrative Office of the Courts, that the proposed legislation would have a substantial fiscal impact on the Department of Correction at this time.

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

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

**PREPARED BY:** Whitney Obrig  
Jim Mills

**APPROVED BY:** Tom L. Covington **TomC**

**DATE:** May 1, 1995



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