

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 496

SHORT TITLE: Assault on School Bus Driver

SPONSOR(S): Representative Sexton

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

BILL SUMMARY: "TO CREATE AN OFFENSE FOR ASSAULTING A SCHOOL BUS DRIVER." Adds new G.S. 14-33.2 and 14-34.5 creating, respectively, the Class 1 misdemeanor of assault of a school bus driver and the Class I felony of assault, by someone who boards a school bus without lawful permission or authority, on a school bus driver, school bus monitor, school employee, or student who is boarding or in the school bus.

EFFECTIVE DATE: December 1, 1995; applies to offenses committed on or after that date.

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

FISCAL IMPACT: Judicial Branch; Department of Correction

<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

RECURRING NO FISCAL IMPACT

NON-RECURRING

ASSUMPTIONS AND METHODOLOGY:

The proposed legislation adds the following sections relating to assaults on school bus drivers: 1) G.S. 14-33.2 would make it a Class 1 misdemeanor for a person who is not a student at the school to threaten (orally, in writing, or by other means) to physically injure an on-duty bus driver in such a way that the bus driver reasonably believes that the threat will be carried out; and 2) G.S. 14-34.5 which would make it a Class I felony for a person without permission or authority to board a bus and assault a school bus driver, school bus monitor, school bus employee, or student who is either boarding or on the bus.

District attorneys surveyed by the Administrative Office of the Courts indicated that assaults on school bus drivers are infrequent. Thus, the Administrative Office of the Courts believes that the Judicial Branch can absorb the costs of any additional cases resulting from the proposed legislation within existing resources.

Likewise, the proposed legislation is not anticipated to have a significant impact on the Department of Correction as assaults on school bus drivers are rare.

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

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION

733-4910

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DATE: April 6, 1995

[FRD#003]



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