

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

**BILL NUMBER:** HB 720

**SHORT TITLE:** AMEND STRUCTURED SENTENCING

**SPONSOR(S):** REPRESENTATIVE BRAWLEY

**FISCAL IMPACT:** Department of Correction

**Expenditures:** Increase (X) Decrease ( )

**FUNDS AFFECTED:** General Fund (X) Highway Fund ( ) Local Fund ( )  
Other Fund ( )

**FISCAL IMPACT:** Judicial Branch

No Estimate Available (X)

**BILL SUMMARY:** "TO AMEND THE STRUCTURED SENTENCING ACT TO INCREASE THE PENALTIES FOR MOST FELONIES AND MISDEMEANORS, AMEND THE FELONY PRIOR RECORD LEVEL SCHEDULE, CHANGE THE TYPES OF ALTERNATIVE PENALTIES AVAILABLE AS INTERMEDIATE PUNISHMENTS, AMEND THE LIST OF AGGRAVATING MITIGATING FACTORS, AMEND THE CONDITIONS THAT MAY BE IMPOSED FOR POST-RELEASE SUPERVISION AND PROBATION, AND REPEAL PROBATION CASELOAD GOALS."

The Structured Sentencing Act (SSA) enacted in 1993 and modified in the 1994 Extra Session went into effect Oct. 1, 1994. It established guideline grids for sentencing for all crimes (except DWI), first-degree murder, and violation of disease control measures under GS 130A-125), in which a judge must choose sentences within a fairly narrow range depending on offender's offense of conviction and number and type of prior convictions. The SSA abolished discretionary parole and required actual service of the entire minimum prison term for felonies (and at least 87% of the entire term for misdemeanors); also, it required life imprisonment without parole for some offenses and offenders. This bill makes a variety of changes in the SSA as indicated in the title, summarized as follows.

Prior record level in felony sentencing. Amends G.S. 15A-1340.14 to increase number of points to 3 for committing offense while on probation/parole, serving a sentence of imprisonment, or on escape from serving a sentence (now, 1 point). Changes rule for counting multiple prior convictions in one court week or session: each conviction must be counted if the multiple convictions occurred during a single week of superior court (now, only the conviction with the highest point total is used) or a single session (day) of district court (now, only one of the convictions is used).

Felony sentencing grid. Amends G.S. 15A-1340.17 to extend mandatory life sentence without parole to Class B1 felonies, prior record level III through VI (now, only V and VI), and Class B2 felonies, prior record level III through VI (now, life without parole not authorized for B2). Authorizes active sentences (now, only intermediate or

community punishments allowed) for Class II, levels I and II, and Class I, levels I, II and III. Makes active sentences mandatory (now, intermediate punishment also allowed) for following classes and levels: Class E II, Class F III, Class G III and IV, Class H IV and V, and Class I V and VI. Increases the ranges for all minimum terms of imprisonment (with the exception of aggravated range for Class B1, Level I and II). The proportional increases range from small (for example, the mitigated range for Class G, Level I changed from 8-10 to 18-20).

Felony aggravating and mitigating circumstances. A judicial finding of these circumstances determines whether the judge sentences from the presumptive (middle), aggravated (high), or mitigated (low) range for a particular felony class and prior level. This bill amends G.S. 15A-1340.16 to clarify that the aggravating factor of committing the felony against a present or former law enforcement officer, correctional officer, judge, juror, prosecutor, witness, etc., applies to such officials or persons in this State, another state, or at the federal level. Removes as mitigating factors: (1) the defendant's age, immaturity, or limited mental capacity, (2) the victim was a voluntary participant in defendant's conduct, (3) there was an extenuating relationship between defendant and victim (but retains strong provocation by victim), (4) the defendant accepts responsibility for criminal conduct, (5) defendant supports his family, (6) defendant has a support system in the community, (7) defendant has a positive employment history or is gainfully employed, and (8) defendant has a good treatment prognosis and workable treatment plan. Provides that mitigating factor of aiding in apprehension of another felon or testifying truthfully in another felony case may be considered only on motion of prosecutor. Voluntary acknowledgment of wrongdoing to law enforcement officer allowed only if it occurs before arrest. Limits mitigating factor of completion of alcohol or drug treatment program to sentencing for offenses that involve only drugs or alcohol.

Misdemeanor sentencing grid and consecutive sentences. The misdemeanor sentencing grid in G.S. 15A-1340.23 applies to all misdemeanors except DWI and violation of disease control measures under G.S. 130A-25. This bill amends G.S. 15A-1340.23 to allow intermediate or active punishment for Class 1, 2, and 3 misdemeanors, Level I (now, community punishment only), and to allow active punishment for Class 2 and 3, Level II (now, community or intermediate only). Thus, this bill would allow active punishment for any misdemeanor covered by the SSA. Removes option of community punishment for Class 1, 2, and 3 Level III (leaving active and intermediate as the options). Increases ranges in active terms for all misdemeanors covered by the grid. For example, Class 3, Level I raised from 1-10 days to 1-30 days; Class I Level III from 1-120 days to 6-12 months. Amends G.S. 15A-1340.22 to delete provision that where court imposes consecutive terms of imprisonment for two or more Class 1 or 2 misdemeanors, the cumulative terms may not exceed twice the maximum term authorized for the most serious offense (result is that the cumulative term, as in felony sentencing, would be the sum of all the consecutive misdemeanor terms).

Probation. Amends G.S. 15A-1340.11 to remove the following as conditions that make probation qualify as an intermediate punishment: electronic monitoring, intensive probation supervision, and assignment to a day-reporting center. Amends G.S. 15A-1343.2(c) to delete language stating goal of reducing average probation officer caseloads to 90 for community punishment and 60 for intermediate punishment. Raises maximum term of probation as follows: misdemeanants' community punishment 24 months (now, 18); misdemeanants' intermediate punishment 36 months (now, 24); felons' community punishment 5 years (now, 30 months); felon's intermediate punishment five years (now, 36 months). Amends G.S. 15A-1343.2(e) and (f) to add electronic monitoring as a condition whose imposition the sentencing court may delegate to the probation officer where the sentence is a community punishment; removes this condition from one that the officer may impose where the sentence is an intermediate punishment.

Post-release supervision. Amends G.S. 15A-1368.4(e) to revise authorized conditions of post-release supervision: supervisee may be required to (1) report to a supervision officer at "any" time and in "any" manner (now, "reasonable" time and manner); (2) permit officer to visit supervisee at "all" (now, "reasonable") times to searches of his person for purposes related to post-release supervision. Deletes language forbidding imposition of search requirement that would otherwise be unlawful.

Revision of statutory penalties for various offenses. Amends G.S. 90-95(h) to raise mandatory minimum and maximum terms of imprisonment for drug trafficking offenses. For example, for 50-100 lbs. of marijuana, raises minimum to 35 months (now, 25) and maximum to 60 (now, 30); for 28 grams or more of opiates, raises minimum to 250 months (now, 225) and maximum to 400 (now, 279). Amends G.S. 90-95(h)(5), which now allows departure from drug trafficking mandatory minimum if judge finds offender has rendered substantial assistance to prosecution of accomplices, to permit departure only if prosecuting attorney makes motion to this effect. Upgrades punishment class of various other offenses, for example: subversive activities, H to G (G.S. 14-12); performing an abortion, H to F (G.S. 14-44); first-degree arson, D to C (G.S. 14-58); escaping from prison or jail while serving felony sentence, I to E (G.S. 14-256); and felonious abuse of child under 16 involving serious physical injury, E to D (G.S. 14-318.4).

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

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

**FISCAL IMPACT: DEPARTMENT OF CORRECTION**

	Recurring	Non-Recurring	Total
FY 95-96	\$153,608,708	\$527,273,667	
	\$680,882,375		
FY 96-97	\$430,773,282	\$448,938,718	
	\$879,712,000		
FY 97-98	\$616,773,282	\$217,946,133	
	\$834,719,415		
FY 98-99	\$747,808,788	\$147,946,647	
	\$895,755,435		
FY 99-00	\$855,414,925	\$ 67,739,242	
	\$923,154,167		

**ASSUMPTIONS AND METHODOLOGY: DEPARTMENT OF CORRECTION**

The following paragraphs provide a brief description of the proposed legislation.

Felony Enhancement

1) Changes in active sentences: The proposed legislation adds an "A" (active sentence possibility) to every cell of the felony grid. According to the North Carolina Sentencing and Policy Advisory Commission, the impact of this change is to substantially increase the estimated number of felons who are projected to receive active prison sentences. Most of the increase in active sentences represent a shift from intermediate punishments to prison.

OFFENSE CLASS AMENDMENT	STRUCTURED SENTENCING	PROPOSED
	PERCENT ACTIVE	PERCENT ACTIVE
A	100%	100%
B1	100%	100%
B2	100%	100%
C	100%	100%
D	100%	100%
E	58%	79%
F	48%	58%
G	66%	83%
H	25%	55%
I	8%	35%
ALL	32%	56%

2) Changes in sentence lengths: The impact of this change is to substantially increase the estimated time to be served for felonies.

**AVERAGE ESTIMATED TIME SERVED**

OFFENSE CLASS AMENDMENT	STRUCTURED SENTENCING	PROPOSED
B1 MONTHS	336 MONTHS	345
B2 MONTHS	172 MONTHS	302
C MONTHS	102 MONTHS	157
D MONTHS	81 MONTHS	113
E MONTHS	38 MONTHS	64
F MONTHS	23 MONTHS	36
G MONTHS	20 MONTHS	34
H MONTHS	14 MONTHS	28
I MONTHS	10 MONTHS	18

Increase felony prior record level schedule

The impact of this amendment is to shift a large number of felons into higher prior record levels. The proposed legislation specifies that each prior conviction will be counted in determining prior record level.

**PERCENT OF SENTENCES FALLING INTO EACH PRIOR RECORD LEVEL**

PRIOR RECORD LEVEL AMENDMENT	STRUCTURED SENTENCING	PROPOSED
I	37.0%	37.0%
II	33.7%	22.2%
III	14.9%	13.3%
IV	9.7%	11.6%
V	2.5%	4.6%
VI	2.2%	11.4%

Increase Offense classes for specified crimes

The proposed legislation raises a number of criminal offenses by one to four felony classes.

Increase mandatory minimum and maximum sentence lengths for drug trafficking

This amendment has only a small impact because drug trafficking offenses only account for a small number of convictions in North Carolina (between 200 and 300 convictions each year).

Misdemeanor Enhancements

The proposed legislation would substantially change the misdemeanor grid by increasing all the sentences, making an active sentence possible in every cell, eliminating the possibility of a community punishment in Prior Conviction Level III, and removing limits on consecutive misdemeanor sentences except for Class 3 misdemeanor convictions.

1) Authorize active sentences for all misdemeanants: The impact of this change is to substantially increase the number of misdemeanants expected to receive active sentences. Under the current version of structured sentencing, it is estimated that 9.9% of all misdemeanants will receive active sentences. Under the proposed amendment, it is estimated that 14.6% will receive an active sentence. Although the percentage change is not great, there are approximately 148,000 non-DWI misdemeanants convicted each year, so this amendment will increase the annual number of misdemeanants receiving active sentences by approximately 8,400.

2) The impact of this amendment is to significantly increase the average time served for misdemeanants. In estimating the average time served, it was assumed that sentences would be evenly distributed in the sentence range and, consequently, the average sentence would equal the midpoint range. If, in practice, judges tend to sentence at the higher end of the range, then the impact could be much higher.

In estimating this impact, the North Carolina Sentencing and Policy Advisory Commission assumed that the probation revocation rate for misdemeanants would be the same as under structured sentencing. Because the active sentence ranges are longer under the proposed amendment, the estimated time served on revocation was also calculated to significantly increase.

To estimate the impact on state prison populations, only sentences in excess of ninety days were counted. To estimate the impact on county jails, only sentences of 90 days or less were counted. Current statutes require sentences in excess of 90 days to be served in state prison and all others to be served in county jail.

Change definition of intermediate punishments

The impact of this change is to significantly increase the use of special probation (split sentences and boot camp) and consequently increase the number of inmates serving time. The North Carolina Sentencing and Policy Advisory Commission estimated that all offenders who previously received an intermediate sentence which did not include special probation, would now receive special probation and would be required to serve one fourth of their maximum sentence (but never more than six months) in county jail or state prison.

**COST ANALYSIS:** DEPARTMENT OF CORRECTION

The following Table shows on an annual basis the following data:

- 1) the projected inmate population under current Structured Sentencing (assumes parole practices similar to 1993 and 1994);
- 2) the additional number of inmates to be incarcerated as a result of HB 720;
- 3) the total number of projected prison beds available at 130% capacity;
- 4) projected additional beds available (925 out-of-state beds, 500 additional out-of state beds when needed, 360 jails beds, and 656 beds from double-bunking in single-cells); and,
- 5) the number of additional beds needed to incarcerate inmates under HB 720.

	<u>June 30</u> <u>1996</u>	<u>June 30</u> <u>1997</u>	<u>June 30</u> <u>1998</u>	<u>June 30</u> <u>1999</u>	<u>June 30</u> <u>2000</u>
No. of Inmates Under Structured Sentencing Effective 10/1/94	25,822	25,936	26,143	26,738	27,694
Projected Beds Available at 130% Capacity of 50 Sq. Ft./Inmate*	29,854	31,870	31,870	31,870	31,870
No. of Beds Over/(Under) No. of Inmates Due to Structured Sentencing	4,032	5,934	5,727	5,132	4,176
Out of State and Local Beds Available	1,285	1,285			

No. of Projected Additional Inmates Due to this Bill	12,858	26,868	33,594	38,615	42,089
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No. of Additional Beds Needed Due to this Bill	7,541	19,649	27,867	33,483	37,913
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\* The projected prison bed capacity also includes 656 beds likely to be funded by the 1995 General Assembly that will be added due to double-bunking in selected single cells, and 827 beds gained through the most recent modification of Small v. Martin.



**Other Assumptions:**

This fiscal note does not account for the Repeal Prison Cap legislation and its related potential use of many of the currently available prison beds. The effect of repealing the cap is not considered since no decision has been made by the General Assembly as to the effective date of the legislation. It is necessary to have an effective date prior to incorporating the related bed utilization into the fiscal analysis of Session 1995 proposed legislation.

These projections do not include the 2,424 beds which are being requested in the Governor's 1995-97 Capital Improvement budget at a cost of \$86,000,000 in 1995-96 and \$14,000,000 in 1996-97. The estimated annualized costs for these beds is \$50,000,000.

After analyzing the proposed legislation thoroughly, the Department of Correction estimates the following distribution of beds as needed under this bill:

Close Custody - 19.8%  
 Medium Custody - 31.7%  
 Minimum Custody - 48.5%

The time required to find a site, draw up the plans, and construct each of the custody level prisons are shown below:

Close Custody - 30 months  
 Medium Custody - 24 months  
 Minimum Custody - 21 months

# of Additional Beds Needed on a Non-Cumulative Annual Basis

Fiscal Year	Total Beds	Annual Bed Increase	Minimum	Medium	Close
FY 95-96	7,541	7,541	1,493	2,391	3,657
FY 96-97	19,649	12,108	2,397	3,838	5,873
FY 97-98	27,867	8,218	1,627	2,605	3,986
FY 98-99	33,483	5,616	1,112	1,780	2,724
FY 99-00	37,913	4,430	877	1,404	2,149

IMPACT FOR FY 1995-96 AND FY 1996-97

Costs are based on the following assumptions:

1. Assume continuing to lease 360 beds in local jails until no longer needed.
2. Assume continuing to lease 925 short-term beds in out-of-state facilities until no longer needed.
3. Assume new leases of 500 short-term medium custody beds in out-of-state facilities until no longer needed.
4. Assume that after above-noted beds are made available, the State will lease needed minimum and medium security beds on a long-term basis from private providers and that the leases will continue at the peak number of beds required from the providers.

The State would be unable to meet the immediate demand for beds resulting from the proposed legislation. Thus, the minimum and medium security beds are costed out at the private provider rate of \$54.96 and \$59.46 per inmate/per day, respectively. Since these are long-term contracts, it is assumed that the individuals housed by private providers in FY 95-96 and FY 96-97 would remain in private facilities throughout the time-period covered by this fiscal note.

**In addition, the costs associated with the construction and operation of the close security facilities in FY 95/96 and FY 96/97 are only hypothetical in nature. These numbers are included so as to encompass the full cost of the legislation. However, it would not be possible to construct and begin operation of close security facilities within this time frame.**

**FY 95-96**

	MINIMUM TOTAL	MEDIUM	CLOSE
NUMBER OF BEDS REQUIRED	3,657 7,541	2,391	1,493
1) Out-of-State		500	
2) Private Providers	3,657	1,891	
3) Hypothetical New Facilities			1,493

- 1) There are 500 out-of-state medium custody beds available at \$76.61 per day/per inmate. These beds would be used to meet some of the initial medium custody bed demand (500 X \$76.61 per day/per inmate X 365 = \$13,981,325).

- 2) Private providers would be utilized to supply 3,657 minimum security beds at a cost of \$54.46 per day/per inmate and 1,891 medium security beds at a cost of \$59.46 per day/per inmate.
- 3) Hypothetical New Close Security Facilities would house 1,493 inmates in FY 95-96.

Construction: FY 95/96 1,493 X \$62,757 per inmate = \$93,696,201

Operating:

FY 95-96:	1,493 X \$26,708 per inmate	= \$39,875,044
FY 96-97:	1,493 X \$27,015	= \$40,333,395
FY 97-98:	1,493 X \$27,326	= \$40,797,718
FY 98-99:	1,493 X \$27,640	= \$41,266,520
FY 99-00:	1,493 X \$27,958	= \$41,741,294

**FY 96-97**

	MINIMUM	MEDIUM	CLOSE	TOTAL
NUMBER OF ADDITIONAL NEW BEDS REQUIRED	5,873	4,338	2,397	12,608
1) Out-of-State		0		
2) Hypothetical New Facilities			2,397	
3) New Facilities	5,873	4,338		

1) The 500 inmates housed in out of state facilities during FY 95-96 would be moved into newly constructed in-state medium security facilities for FY 96-97.

2) Hypothetical new close security facilities would house 2,397 inmates.

Construction: FY 96-97: 2,397 X \$66,522 = \$159,453,234

Operating:

FY 96-97:	2,397 X \$27,015	= \$ 64,754,955
FY 97-98:	2,397 X \$27,326	= \$ 65,500,422
FY 98-99:	2,397 X \$27,640	= \$ 66,253,080
FY 99-00:	2,397 X \$27,958	= \$ 67,015,326

**FY 97-98**

	MINIMUM	MEDIUM	CLOSE	TOTAL
NUMBER OF ADDITIONAL NEW BEDS REQUIRED	3,986	2,605	1,627	8,218
New facilities	3,986	2,605	1,627	



<b>FY 98-99</b>	MINIMUM	MEDIUM	CLOSE	TOTAL
NUMBER OF ADDITIONAL NEW BEDS REQUIRED	2,724	1,780	1,112	5,616
New facilities	2,724	1,780	1,112	

<b>FY 99-00</b>	MINIMUM	MEDIUM	CLOSE	TOTAL
NUMBER OF ADDITIONAL NEW BEDS REQUIRED	2,149	1,404	877	4,430
New facilities	2,149	1,404	877	

**CONSTRUCTION:** Based on information provided by the DOC on January 31, 1994, the following per bed/cell construction cost was used for the beds needed. A 6% per year inflation rate has been added to the above capital costs to determine the non-recurring costs estimated in the Fiscal Impact Table on page 1. Costs of the additional beds required for each Fiscal Year are budgeted in prior year(s) to allow time for construction.

FY 1995/96 - Minimum Custody:	\$27,566	X 5,873	= \$161,895,118
FY 1995/96 - Medium Custody:	\$35,868	X 4,338	= \$155,595,384
FY 1995/96 - Close Custody:	\$62,757	X 1,627	= \$102,105,639
FY 1995/96 - TOTAL			= \$419,596,141
FY 1996/97 - Minimum Custody:	\$29,220	X 3,986	= \$116,470,920
FY 1996/97 - Medium Custody:	\$38,020	X 2,605	= \$ 99,042,100
FY 1996/97 - Close Custody:	\$66,522	X 1,112	= \$ 73,972,464
FY 1996/97 - TOTAL			= \$289,485,484
FY 1997/98 - Minimum Custody:	\$30,973	X 2,724	= \$ 84,370,452
FY 1997/98 - Medium Custody:	\$40,301	X 1,780	= \$ 71,735,780
FY 1997/98 - Close Custody:	\$70,513	X 877	= \$ 61,839,901
FY 1997/98 - TOTAL			= \$217,946,133
FY 1998/99 - Minimum Custody:	\$32,831	X 2,149	= \$ 70,553,819
FY 1998/99 - Medium Custody:	\$42,719	X 1,404	= \$ 59,977,476
FY 1998/99 - Close Custody:	\$74,744	X 233	= \$ 17,415,352
FY 1998/99 - TOTAL			= \$147,946,647
FY 1999/00 - Minimum Custody:	\$34,801	X 570	= \$ 19,836,570
FY 1999/00 - Medium Custody:	\$45,282	X 372	= \$ 16,844,904
FY 1999/00 - Close Custody:	\$79,229	X 392	= \$ 31,057,768
FY 1999/00 - TOTAL			= \$ 67,739,242

**OPERATING:** Based on information provided by the DOC on January 31, 1994, the following annual operating cost was used for the additional inmates needed by June 30, 2000. A 4.6% per year inflationary rate on all non-salary items has been added to these recurring costs and are shown in the Fiscal Impact Table on page 1.

FY 1996/97 - Minimum Custody:	\$18,698 X 5,873	=	\$109,813,354
FY 1996/97 - Medium Custody:	\$23,545 X 4,338	=	\$102,138,210
FY 1996/97 - TOTAL		=	\$211,951,564
FY 1997/98 - Minimum Custody:	\$18,913 X 9,859	=	\$186,463,267
FY 1997/98 - Medium Custody:	\$23,816 X 6,943	=	\$165,354,488
FY 1997/98 - Close Custody:	\$27,326 X 1,627	=	\$ 44,459,402
FY 1997/98 - TOTAL		=	\$396,277,157
FY 1998/99 - Minimum Custody:	\$19,130 X 12,583	=	\$240,712,790
FY 1998/99 - Medium Custody:	\$24,090 X 8,723	=	\$210,137,070
FY 1998/99 - Close Custody:	\$27,640 X 2,739	=	\$ 75,705,960
FY 1998/99 - TOTAL		=	\$526,555,820
FY 1999/00 - Minimum Custody:	\$19,350 X 14,732	=	\$285,064,200
FY 1999/00 - Medium Custody:	\$24,367 X 10,127	=	\$246,764,609
FY 1999/00 - Close Custody:	\$27,958 X 3,616	=	\$101,096,128
FY 1999/00 - TOTAL		=	\$632,924,937

**PRIVATE PROVIDER COSTS:** Private Providers supply minimum and medium security beds for a per diem rate.

<u>MINIMUM</u>	<u>MEDIUM</u>
\$45 per day/per inmate	\$50 per day/inmate
\$ 3.56 administrative cost	\$ 3.56 administrative cost
\$ 4.84 extraordinary medical	\$ 4.84 extraordinary
medical	
\$ .88 day/clothing	\$ .88 day/clothing
\$ .18 SIPs for employees/office supplies	\$ .18 SIPs
<b>\$54.46 TOTAL</b>	<b>\$59.46 TOTAL</b>

FY 1995/96 - Minimum Custody:	3,657 X \$54.46 X 365 =
\$72,693,480	
FY 1995/96 - Medium Custody:	1,891 X \$59.46 X 365 =
\$41,040,184	
FY 1996/97 - Minimum Custody:	3,657 X \$54.46 X 365 =
\$72,693,184	
FY 1996/97 - Medium Custody:	1,891 X \$59.46 X 365 =
\$41,040,184	

FY 1997-98 - Minimum Custody:	3,657 X \$54.46 X 365 =
\$72,693,184	
FY 1997-98 - Medium Custody:	1,891 X \$59.46 X 365 =
\$41,040,184	

FY 1998/99 - Minimum Custody:	3,657 X \$54.46 X 365 =
\$72,693,184	
FY 1998/99 - Medium Custody:	1,891 X \$59.46 X 365 =
\$41,040,184	
FY 1999/00 - Minimum Custody:	3,657 X \$54.46 X 365 =
\$72,693,184	
FY 1999/00 - Medium Custody:	1,891 X \$59.46 X 365 =
\$41,040,184	

**ASSUMPTIONS AND METHODOLOGY: JUDICIAL BRANCH**

The proposed legislation would likely have an extremely large fiscal impact on the Judicial Branch. However, the Administrative Office of the Courts is unable to estimate to what extent defense strategies would change. Thus, no estimate is available with regards to the fiscal impact of the proposed legislation on the Judicial Branch.

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

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

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**DATE:** May 3, 1995

**[FRD#003]**



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