

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 860 (Second Edition)

SHORT TITLE: Detector Dog Trainers

SPONSOR(S): Representative Adams

FISCAL IMPACT

Yes (X) No () No Estimate Available ()

FY 2003-04 FY 2004-05 FY 2005-06 FY 2006-07 FY 2007-08

REVENUES See Assumptions and Methodology

EXPENDITURES See Assumptions and Methodology

POSITIONS:

**PRINCIPAL DEPARTMENT(S) &
PROGRAM(S) AFFECTED:** Department of Health and Human Services – Division of Mental Health, Developmental Disabilities and Substance Abuse ;
Department of Justice

EFFECTIVE DATE: This act is effective when it becomes law.

BILL SUMMARY: The bill authorizes the Department of Health and Human Services (DHHS) to register dog handlers who train and maintain dogs used to detect the presence of illegal narcotics. The maximum annual registration fee of \$150 allows the dog handler to lawfully obtain and possess specified amounts of controlled substances for the training of dogs. DHHS currently registers dog handlers through administrative rules for an annual fee of \$125. The applicant for the registration required in this proposed bill must pay the Department of Justice for a criminal background check and must keep records and maintain inventories in conformance with federal and state laws.

ASSUMPTIONS AND METHODOLOGY:

Revenue

DHHS has no estimate of the number of new registrants it will receive upon the passage of this bill. The Division of Mental Health, Developmental Disabilities and Substance Abuse's Regulatory Unit currently has 22 persons registered as researchers who are associated with dogs

for narcotics detection. Of these 22, sixteen are with police departments and six are considered agents for law enforcement.

The proposed statutory changes would exempt law enforcement agencies and dog handlers that are employed or under contract to law enforcement agencies from registration and fee requirements. Currently, law enforcement agencies and their contracted dog trainers are exempted through administrative rules. Despite qualifying for the exemption from administrative rules, the 22 persons currently registered (*see previous paragraph*) voluntarily register and pay the existing fee of \$125.00.

Based on existing practices, these 22 law enforcement agents and agencies will likely continue to register and pay the fee under the proposed statutory language changes, regardless of exemption. It is unclear how many new dog handlers would register as a result of the proposed legislation. As a result, additional revenues were not estimated.

Expenditures

The Division of Mental Health, Developmental Disabilities and Substance Abuse's Regulatory Unit has six employees that handle 2,400 registrants. The unit collected \$398,250 in fees in FY 2002-03 and spent \$353,091 for six personnel that include four inspectors, one supervisor, and one clerical position. The unit receives about 10 new registrants a month that require an inspection. Dog handlers would be another duty added to their workload. Since there is no estimate on the number of dog handler registrants, it is unknown whether the current staff can perform the inspections in a timely manner.

Proposed 90-102.1(d) deals with criminal record background checks. Since the applicant or licensee pays the State Bureau of Investigation (SBI) for the criminal record check, there is no fiscal impact on the DHHS. The SBI is able to accommodate some increase in background checks within its existing staffing level. If the increase in workload due to new record checks is greater than the unit's capacity, the SBI could seek authorization from the Office of State Budget and Management for an additional position supported by the receipts collected from the applicants/ licensees.

SOURCES OF DATA: Department of Health and Human Services

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DATE: July 16, 2003



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