

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

Legislative Fiscal Note

BILL NUMBER: House Bill 807 (First Edition) Revised

SHORT TITLE: Transfer Stanly County to District 20B.

SPONSOR(S): Representative Burr

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
REVENUES:					
EXPENDITURES:	\$121,061+ \$9,672 NR	\$242,124 + \$9,672 NR	\$242,124	\$242,124	\$242,124
POSITIONS (cumulative):	1	2	2	2	2
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Judicial Department					
EFFECTIVE DATE: October 1, 2011, except Section (c), which is effective January 1, 2013					
Effective date is contingent upon preclearance by the US Department of Justice					

BILL SUMMARY:

Transfers Stanly County to Superior Court and Prosecutorial District 20B from District 20A. Stanly County is currently in a district with Richmond and Anson Counties, and in 20B will be paired with Union County. The bill also changes the number of superior court judges allocated to the district under GS 7A-41(a), providing that the superior court judgeship transferred from District 20A to District 20B will be filled by the judge currently serving District 20A who resides in Stanly County until that judge's term expires on December 31, 2012.

Amends GS 7A-133(a) to remove Stanly County from District Court District 20A and place it in new District 20B4. Renames Districts 20B, 20C, and 20D as Districts 20B1, 20B2, and 20B3, respectively, and specifies in amended GS 7A-133(b) which parts of Union County make up District 20B1 and which parts of the county make up District 20B2. Provides that the district court judgeship transferred from District 20A to District 20B4 will be filled by the judge currently serving District 20A who resides in Stanly County until that judge's term expires December 31,

2014. Further amends GS 7A-133(a), effective January 1, 2013, to add a district court judgeship to District 20B4 to be filled in the 2012 general election. Effective December 31, 2012, abolishes the district court judgeship of District 20A held by a resident of Anson County.

Amends GS 7A-60(a1) to transfer five full-time assistant district attorney (ADA) positions from Prosecutorial District 20A to District 20B, to be filled by five ADAs currently serving Stanly County in Prosecutorial District 20A.

Section 3 of the act becomes effective January 1, 2013, or on the date that the act receives preclearance under section 5 of the Voting Rights Act of 1965, whichever is later, but applies to the 2012 election as provided. The remainder of the act becomes effective October 1, 2011, or on the date that the act receives preclearance under section 5 of the Voting Rights Act of 1965, whichever is later.

ASSUMPTIONS AND METHODOLOGY: This bill, as drafted, transfers existing judicial officials between two judicial districts and does not appropriate new positions. The Administrative Office of the Courts has analyzed the workload distribution among the four counties affected by this bill and has determined that the movement of District Court Judges would create a significant impact on the new District 20A, Richmond and Anson Counties. The initial change, placing three District Court judges in 20A and five in 20B, would cause a shortage of one full-time judgeship for 20A, and the transfer of an additional judgeship in 2013 would put that district two full-time positions short of their workload requirements. A full-time District Court Judgeship requires \$161,416 in recurring funds and \$9,672 in non-recurring funds.

The bill also reassigns Assistant District Attorney positions between the two districts. As written, the bill moves five ADA positions from 20A to 20B. According to AOC's workload analysis, moving four positions would produce a more equal distribution of workload across the two districts.

SOURCES OF DATA: Administrative Office of the Courts

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Douglas Holbrook

APPROVED BY: Lynn Muchmore, Director
Fiscal Research Division

DATE: April 26, 2011



Signed Copy Located in the NCGA Principal Clerk's Offices