

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE		Fiscal Research	
733-4910			
Prepared By: Michele T. Nelson		Date Prepared: 5/31/90	Bill No. S 1389
Approved By: Tom Covington		Edition: First	
TOMC 7/2/90		Sponsor: Barker	
Restitution/Drug Analysis		Short Title:	
FUNDS AFFECTED:		TYPE OF FISCAL IMPACT	
() Other:		+-----+(x)	
General () Highway () Local		County/-----	
		State	Local
FY	FY	FY	FY
No Fiscal Impact	()	()	()
Receipts/Revenues	\$550,000	Gov't	Gov't
Expend./Rev.	\$550,000	State	Local
Decrease Expenditure	()	()	()
Local Fiscal Impact		FY	FY
		FY	FY
Decrease Revenue	()	()	()
Net Local Expend./Rev.		Receipts/Revenues	
Positions		No Estimate Avail.	() ()

Description of Legislation 1. Summary of Legislation

Amends G.S. 90-95.3 by adding a new subsection that allowed the court to order restitution in the sum of one hundred dollars (\$100.00), payable to the State, from any person convicted of an offense for possession of any controlled substance.

2. Effective Date: July 1, 1990

3. Fund or Tax Affected: General Fund

4. Principal Department/Program Affected: Department of Justice/State Bureau of Investigation

Cost or Revenue Impact on State 90-91	FY	FY	FY
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1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues \$550,000

3. Fiscal/Revenue Assumptions

The SBI Laboratory provides drug analysis for State and local law enforcement agencies when an arrest occurs as a result of possession of a controlled substance. Based upon an assessment by the Administrative Office of the Courts, approximately 11,000 defendants will be tried and convicted annually for this offense. However, it is anticipated that only one-half (1/2) of the defendants may have the ability to pay a fee or restitution for the analysis performed by the SBI Laboratory.

Therefore, it is estimated that 5,500 defendants will pay the \$100 fee and the State of North Carolina will recover \$550,000.

Cost/Revenue Impact on County or Local Government	FY	FY	FY	88-89	89-90
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1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

3. Fiscal/Revenue Assumptions

Sources of Data for Fiscal Note: Department of Justice and Administrative Office of the Courts.

Technical Considerations/Comments



Signed Copy Located in the NCGA Principal Clerk's Offices