

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** House Bill 66

**SHORT TITLE:** Trespass / Theft of Pine Straw

**SPONSOR(S):** Representative Brown

**FISCAL IMPACT**

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

(in millions)

FY 1997-98   FY 1998-99   FY 1999-00   FY 2000-01   FY 2001-02

**GENERAL FUND**

**Correction**

Recurring

Nonrecurring

No Fiscal Impact

**Judicial**

Recurring

Nonrecurring

**TOTAL EXPENDITURES**

**POSITIONS:** It is anticipated that approximately 0 positions would be needed to supervise the additional inmates housed under this bill. This is based on inmate to employee ratios, provided by the Division of Prisons, for close, medium, and minimum custody facilities (These position totals include security, program, and administrative personnel.).

Close – 2 to 1  
Medium – 3 to 1  
Minimum – 4 to 1

**PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED:** Dept. of Correction; Judicial Branch

**EFFECTIVE DATE:** Applies to offenses committed on or after January 1, 1998.

**BILL SUMMARY:** TO ESTABLISH THE OFFENSES OF TRESPASS ON PINE STRAW PRODUCTION LAND AND LARCENY OF PINE STRAW. Amends GS 14-159.6 and 14-79.1 to increase the penalties throughout the state for offenses involving pine straw. Makes trespassing on land used for the production of pine straw a class 1 misdemeanor for a first offense, and a class I felony for a subsequent offense. Makes it a class H

felony to commit larceny of pine straw from land used for its production, regardless of the value of the pine straw taken. Applies to offenses committed on or after January 1, 1998.

**ASSUMPTIONS AND METHODOLOGY:** Department of Correction

Currently, the Judicial Branch does not have a specific code for offenses relating to theft of pine straw. This indicates a small number of offenses since “offense codes” are established only when the number of offenses is significant. Based on this finding, the Sentencing Commission does not expect that the proposed changes would have any significant impact on prison populations. The Sentencing Commission estimates, for example, that if 10 individuals were convicted of these offenses per year approximately 1 or 2 additional inmates would be added to the prison population. If there were as many as 30 convictions no more than 3 to 6 additional inmates would be added to the prison system. These few potential additional inmates could be absorbed within existing Department of Correction resources.

Likewise, there would not be a significant fiscal impact on the Judicial Branch as there would not be any major changes in the time required to process or dispose of these cases.

**SOURCES OF DATA:** Department of Correction, Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION**

**733-4910**

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**APPROVED BY:** Tom L. Covington **TomC**

**DATE:** February 12, 1997



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