



# NORTH CAROLINA GENERAL ASSEMBLY

Session 2017

## Legislative Fiscal Note

**Short Title:** Extreme Risk Protection Orders.  
**Bill Number:** House Bill 976 (First Edition)  
**Sponsor(s):** Representatives Morey, Harrison, G. Martin, and Willingham

### SUMMARY TABLE

#### FISCAL IMPACT OF H.B. 976, V.1 (\$ in thousands)

	<u>FY 2018-19</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>
<b>State Impact</b>					
General Fund Revenue	-	-	-	-	-
Less Expenditures	20.0	-	-	-	-
<b>General Fund Impact</b>	<b>(20.0)</b>	-	-	-	-
<b>NET STATE IMPACT</b>	<b>(\$20.0)</b>	-	-	-	-
<b>Local Impact</b>					
Local Revenue	-	-	-	-	-
Less Local Expenditures	-	-	-	-	-
<b>No Estimate Available - Refer to Fiscal Analysis section</b>					
<b>NET LOCAL IMPACT</b>	-	-	-	-	-

### FISCAL IMPACT SUMMARY

Fiscal Research Commission (FRD) cannot estimate the costs to the State from the increased requirements upon the Administrative Office of the Courts (AOC) in Sections 1 and 3. The costs related to the new Class A1 misdemeanor and Class 2 misdemeanor created in Section 1 of the bill are addressed in the related incarceration note for version 1 of this bill. FRD cannot estimate the local costs to the sheriffs from the requirements in Section 1. Section 4 would appropriate \$20,000 to AOC from the General Fund to cover related costs.

### FISCAL ANALYSIS

Section 1 of this bill creates new Article 50E, Extreme Risk Protection Orders, which establishes a judicial process for such orders to be heard and, if issued by the court, for sheriffs to take possession of firearms, ammunition, and related permits. Section 1 would have a fiscal impact on AOC in terms of increased workload for court personnel, but that impact cannot be estimated at this time. Section 1 would have a fiscal impact on the local sheriffs, but the section allows sheriffs to charge a fee to cover their costs. The impact on the sheriffs cannot be estimated at this time, but there would be no

State impact. Section 1 creates a new Class A1 misdemeanor and a Class 2 misdemeanor. The costs for those offenses are addressed in the related incarceration note for version 1 of House Bill 976, Extreme Risk Protection Orders.

Section 2 makes conforming changes to Chapter 15C of the General Statutes, Address Confidentiality Program.

Section 3 directs AOC to update forms accordingly. Creating forms and training judicial personnel would increase AOC's workload.

Section 4 appropriates \$20,000 in nonrecurring funding from the General Fund to AOC to fund training for judicial personnel in FY 2018-19.

Section 5 sets the effective dates for Section 4 as July 1, 2018 and the effective date for the remainder of the bill as December 1, 2018.

## **TECHNICAL CONSIDERATIONS**

---

N/A.

## **DATA SOURCES**

---

THE ADMINISTRATIVE OFFICE OF THE COURTS; SENTENCING AND POLICY ADVISORY COMMISSION

## **LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS**

---

This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are based on the data, assumptions, and methodology described in the Fiscal Analysis section of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

## **CONTACT INFORMATION**

---

Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

## **ESTIMATE PREPARED BY**

---

William Childs

## **ESTIMATE APPROVED BY**

---

Mark Trogdon, Director of Fiscal Research

Fiscal Research Division  
June 11, 2018

**Signed copy located in the NCGA Principal Clerk's Offices**

