



# NORTH CAROLINA GENERAL ASSEMBLY

Session 2019

## Legislative Fiscal Note

**Short Title:** Allow ERPOs to Save Lives & Prevent Suicides.  
**Bill Number:** House Bill 454 (First Edition)  
**Sponsor(s):** Representatives Morey, Clark, Harrison, and Martin

### SUMMARY TABLE

#### FISCAL IMPACT OF H.B. 454, V.1 (\$ in millions)

	<u>FY 2019-20</u>	<u>FY 2020-21</u>	<u>FY 2021-22</u>	<u>FY 2022-23</u>	<u>FY 2023-24</u>
<b>State Impact</b>					
General Fund Revenue	-	-	-	-	-
<u>Less Expenditures</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>General Fund Impact</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>				

<b>NET STATE IMPACT</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>
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#### Local Impact

Local Revenue	-	-	-	-	-
<u>Less Local Expenditures</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

<b>NET LOCAL IMPACT</b>	<b>No Estimate Available - Refer to Fiscal Analysis section</b>
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### FISCAL IMPACT SUMMARY

Fiscal Research Division (FRD) cannot estimate the costs to the State from the increased requirements upon the Administrative Office of the Courts (AOC) created in Sections 1 and 3. FRD cannot estimate the local costs to the sheriffs from the requirements in Section 1. 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.

### FISCAL ANALYSIS

Section 1 of this bill creates new Article 50E, Extreme Risk Protection Orders (ERPO), which establishes a judicial procedure for “concerned citizens and law enforcement” to obtain an order

temporarily limiting an individual's access to firearms when it is determined the individual poses a significant danger of hurting themselves or others.

In addition, it permits the Sheriff to charge a "reasonable fee" for the storage of any firearms or ammunition related to the ERPO. Section 1 would have an impact on the courts, in relation to increased workload for court personnel, but the impact cannot be estimated. There would be an impact on the counties for the storage of the weapons and ammunition, but the North Carolina Sheriffs Association believes the fees permitted will offset any costs. There will be no impact on State revenue.

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 454, Extreme Risk Protection Orders.

Section 3 directs AOC to create and update forms accordingly. The creation of new forms and training court personnel would increase AOC's workload but there is no estimate of the impact.

## **TECHNICAL CONSIDERATIONS**

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N/A.

## **DATA SOURCES**

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

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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**

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

## **ESTIMATE PREPARED BY**

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John Poteat

## **ESTIMATE APPROVED BY**

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Mark Trogdon, Director of Fiscal Research  
Fiscal Research Division  
August 5, 2019

Signed copy located in the NCGA Principal Clerk's Offices

