

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

Fiscal Research
733-4910

Prepared By: C. H. Wyland	Date Prepared: May 5, 1989	Bill No.: SB 707	Edition: First
Approved By: Tom Covington TOMC	MAY 8, 1989		Sponsor: Sen. Daniel
Short Title: Drug Traffic/Can't Modify Sentence			

TYPE OF FISCAL IMPACT	COUNTY		FUNDS AFFECTED:		
	State Gov't	Local Gov't	(x) General	() Highway	() Other: Local
No Fiscal Impact	()	(x)			
Increase Expenditure	(x)	()			
Decrease Expenditure	()	()			
Increase Revenue	()	()			
Decrease Revenue	()	()			
No Estimate Avail.	()	()			

	COUNTY		STATE FISCAL IMPACT			LOCAL FISCAL IMPACT		
	State Gov't	Local Gov't		FY	FY	FY	FY	FY
No Fiscal Impact	()	(x)	State Total Req'ments					
Increase Expenditure	(x)	()	Receipts/Revenues					
Decrease Expenditure	()	()	Net State Expend./Rev.					
Increase Revenue	()	()	No. of Positions					
Decrease Revenue	()	()	Local Total Req'ments					
No Estimate Avail.	()	()	Receipts/Revenues					
			Net Local Expend./Rev.					
			No. of Positions					

Description of Legislation

1. Summary of Legislation

Person convicted of a drug trafficking offense would not be eligible for early release, early parole, good time or gain time.

2. Effective Date: October 1, 1989

3. Fund or Tax Affected: General Fund

4. Principal Department/Program Affected

Department of Correction/Division of Prisons

Cost or Revenue Impact on State

FY	FY	FY
88-89	89-90	

- | | |
|---------------------------------|---------------------------------------|
| 1. Non-Recurring Costs/Revenues | See Technical Considerations/Comments |
| 2. Recurring Costs/Revenues | See Technical Considerations/Comments |
| 3. Fiscal/Revenue Assumptions | |

Cost/Revenue Impact on County or Local Government

FY	FY	FY
88-89	89-90	

- | | |
|---------------------------------|--|
| 1. Non-Recurring Costs/Revenues | |
| 2. Recurring Costs/Revenues | |
| 3. Fiscal/Revenue Assumptions | |

Sources of Data for Fiscal Note

N.C. Department of Correction, Governor's Crime Commission

Technical Considerations/Comments

During the last six years, admissions to prison for Drug Trafficking offenses were as follows:

Year	No. Admitted	
	1983	72
	1984	119
	1985	129
	1986	117
	1987	166
	1988	246

Presently, the average sentence for Drug Trafficking offenses is 11.5 years, while the average time served is 4.5 years. If good time were eliminated, the average time served would increase to 9.35 years, and if both good time and gain time were eliminated, the average time served would increase to 11.05 years.

No impact on the prison population would begin to occur until approximately 4.5 years after the effective date of this legislation since the current average length of time served is 4.5 years. After that period, there will be an increase in the population for approximately seven and one-half to eight years until the full impact of the legislation is felt. Assuming that the number of admissions for Drug Trafficking offenses remains the same as in 1988 (approximately 250 admissions), the legislation would cause a population increase of 1,647 inmates approximately 12 to 12.5 years from the effective date of the legislation.

The Department of Correction projects that two 400-bed medium custody and two 400-bed close custody facilities would need to be constructed for this increase in inmate population. The Department estimates that construction of these single room/cell facilities would presently cost \$130,000,000 and that the present operating costs for these facilities would be \$26,200,000 per year. Inflationary factors for construction and operating costs would need to be added to these amounts depending upon when the new facilities were funded and completed.

It may be possible to house these inmates in a less secure setting than private rooms or cells. However, the Department believes that the loss of early release, early parole, good time, and gain time incentives will increase the probability of inmate behavior problems and more secure housing will be necessary.



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