

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

Fiscal Research
733-4910

Prepared By: Wyland, Marbet	Date Prepared: May 15, 1989	Bill No.: SB 986	Edition: First
Approved By: Tom Covington TOMC	MAY 15, 1989		Sponsor: Sen. Simpson
Short Title: Damage to DOC/DHR Employees Cars			

TYPE OF FISCAL IMPACT	COUNTY		FUNDS AFFECTED:			
	State Gov't	Local Gov't	(x) General	() Highway	() Other: Local	
			State Fiscal Impact	FY	FY	FY
No Fiscal Impact	(x)	(x)	State Total Req'ments Receipts/Revenues			
Increase Expenditure	()	()	Net State Expend./Rev. No. of Positions			
Decrease Expenditure	()	()				
			Local Fiscal Impact	FY	FY	FY
Increase Revenue	()	()	Local Total Req'ments Receipts/Revenues			
Decrease Revenue	()	()	Net Local Expend./Rev. No. of Positions			
No Estimate Avail.	()	()				

Description of Legislation

1. Summary of Legislation

Allows the Secretaries of the Department of Correction and the Department of Human Resources to adopt rules on repair and replacement of private vehicles of employees of departmental facilities that are damaged or stolen by inmates or clients.

2. Effective Date: Upon Ratification

3. Fund or Tax Affected: General Fund

4. Principal Department/Program Affected: Department of Correction, Department of Human Resources

Cost or Revenue Impact on State

FY	FY	FY
88-89	89-90	

1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

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

Department of Correction, Department of Human Resources

Technical Considerations/Comments

At the present time, if an employee of the Department of Correction or Department of Human Resources has a personal passenger vehicle damaged at or stolen from his/her job site, the claim is sent to the Department of Justice for reimbursement under tort claims. Normally this takes between 60-90 days to reimburse the employee. This bill would allow the Department of Correction to reimburse employees for damages of up to \$200. Any claim exceeding that amount would still be submitted for tort claim action. Tort claims reimbursement to the Department of Correction employees for FY 1987-88 was \$1,071 (5 vehicles) and from July 1, 1988 - April 30, 1989 totaled \$1,275 (5 vehicles). Reimbursement to the Department of Human Resources employees for FY 1986-87 and FY 1987-88 was \$3,288 (10 vehicles over a 2-year period).

The bill would also allow the Department of Human Resources to pay claims of any amount under or over \$200 for damaged or stolen employee passenger vehicles. Presently the statutes do not limit this Department to amounts not exceeding \$200.

Thus, the bill does provide more flexibility, and perhaps less accountability, in the rules developed by the Department of Human Resources. In order to limit the liability to the Department of Human Resources and provide accountability, a cap should be a part of the rules that are developed by the Department.



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