

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

**BILL NUMBER:** SB 628

**SHORT TITLE:** Require Permit for Crossbow & Bolts

**SPONSOR(S):** Senators Plyler, Condor, and Daniel

**FISCAL IMPACT:**      **Expenditures:**      Increase ( )      Decrease ( )  
                                 **Revenues:**              Increase ( )      Decrease ( )  
                                 No Impact (X)  
                                 No Estimate Available ( )

**FUND AFFECTED:**    General Fund ( )    Highway Fund ( )    Local Fund ( )  
                                 Other Fund ( )

**BILL SUMMARY:** G.S. 14-402 currently states that it is unlawful to sell pistols without a permit. This bill would make G.S. 14-402 also applicable to crossbows and the bolts used with them.

**EFFECTIVE DATE:** December 1, 1993; applicable to offenses occurring on or after that date.

**PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:** Judicial Department, Department of Correction

**FISCAL IMPACT**

	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98
<b>EXPENDITURES</b>	0	0	0	0	0
<b>RECURRING</b>					
<b>NON-RECURRING</b>					
<b>REVENUES/RECEIPTS</b>	0	0	0	0	0
<b>RECURRING</b>					
<b>NON-RECURRING</b>					

**POSITIONS:** No new positions

**ASSUMPTIONS AND METHODOLOGY:** It is estimated by the Administrative Office of the Courts and agreed upon by the Fiscal Research Division that this bill would not have a substantial fiscal impact on the Judicial Department. G.S. 14-402 currently makes it a misdemeanor offense to sell, give away, transfer, or to purchase or receive, a pistol unless the purchaser or receiver has first obtained a license or permit. It is assumed that by extending G.S. 14-402 to include crossbows and bolts, very few additional cases would result. This assumption is based on the fact that during the 1992 calendar year, only 11 charges were brought under the current legislation in North

Carolina. Of these 11 charges, only an estimated 8 convictions resulted.

The penalty for a convicted offender may be a fine of not less than \$50 nor more than \$200 or imprisonment of not less than 30 days nor more than six months, or both, in the discretion of the court. Considering said penalty options and the overall small number of expected convictions that may result from this bill, it is also estimated that SB 628 would not have a significant fiscal impact on the Department of Correction or local jails where offenders would most likely be housed.

**SOURCES OF DATA:** Administrative Office of the Courts

**TECHNICAL CONSIDERATIONS:** As noted by the Administrative Office of the Courts, Section 2 of this bill defines the terms "crossbow" and "bolt;" however, these terms are not included in the substantive text of that section. Details are as follows:

Section 1 revises G.S. 14-402. Note that G.S. 14-402 through 14-409 apply to 90 of North Carolina's 100 counties and require that a permit be obtained from the sheriff's office. Section 2 amends G.S. 14-409.1. Note that G.S. 14-409.1 through G.S. 14-409.9 apply to the remaining 10 counties, and require that a permit be obtained from the clerk of superior court. However, as written, Section 2 makes no change to the applicability of the requirement for a permit beyond the current provision for pistols. While it would appear that it is the intent in Section 2 to add the requirement for crossbow permits in the 10 included counties, as does Section 1 for the 90 counties, it does not in fact make this revision.

**FISCAL RESEARCH DIVISION**

**733-4910**

**PREPARED BY:** Brenda S. Beerman  
Carolyn H. Wyland

**APPROVED BY:** Tom Covington **TOMC**

**DATE:** 6-APR-93

**[FRD#003]**



**Signed Copy Located in the NCGA Principal Clerk's Offices**