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NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 819

SHORT TITLE: Larceny of Purchased Goods

SPONSOR(S): Representative Hunt

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

BILL SUMMARY: "TO MAKE IT THE LARCENY OF PURCHASED GOODS BY THE SELLER A CLASS H FELONY." Adds new GS 14-86.2 making it a class H felony for a seller (as defined in GS 25-2-103) to dispose of, resell, convey, transfer, or to surrender, with certain exceptions, to a person other than the purchaser or the purchaser's agent any goods already existing and identified in purchase contract and paid for by purchaser. Failure of seller after default of agreement to deliver goods to purchaser to deliver goods or to account for whereabouts of goods within 30 days of written demand by purchaser for delivery of goods creates a presumption that the goods were disposed of, resold, conveyed, transferred, or surrendered to one other than the purchaser.

EFFECTIVE DATE: December 1, 1995; applies to offenses committed on or after effective date

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Branch; Department of Correction

FISCAL IMPACT

FY 95-96 FY 96-97 FY 97-98 FY 98-99
FY99-00

EXPENDITURES
NON-RECURRING

RECURRING NO FISCAL IMPACT

ASSUMPTIONS AND METHODOLOGY: Due to the relative infrequency of the offense, the fact that most such defendants could be charged with a crime in any event, and the potential deterrent effect of the law, the Administrative Office of the Courts does not anticipate that the proposed legislation would have a substantial impact on the Judicial Branch.

Likewise, based on a very small number of cases, the North Carolina Sentencing and Policy Advisory Commission does not expect the proposed legislation to have a fiscal impact on the Department of Correction.

SOURCES OF DATA: Administrative Office of the Courts; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION

733-4910

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DATE: April 28, 1995

[FRD#003]



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