

NORTH CAROLINA GENERAL ASSEMBLY  
LEGISLATIVE FISCAL NOTE

**BILL NUMBER:** HB 1291

**SHORT TITLE:** Food Stamp Felony Fraud

**SPONSOR(S):** Representative Berry

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

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

**BILL SUMMARY:** RECOMMENDED BY THE LEGISLATIVE STUDY COMMISSION ON WELFARE REFORM TO CORRECT THE LAW REGARDING THE FOOD STAMP FELONY FRAUD THRESHOLD. Amends GS 108A-53(a) to lower the threshold amount for food stamp felony fraud from any amount over \$1,000 to any amount over \$400.

**EFFECTIVE DATE:** December 1, 1996, and applies to offenses committed on or after that date.

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

**FISCAL IMPACT**

	<u>FY</u> 1996-97	<u>FY</u> 1997-98	<u>FY</u> 1998-99	<u>FY</u> 1999-00	<u>FY</u> 2000-01
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**TOTAL EXPENDITURES**  
**RECURRING**  
**NON-RECURRING**

**NO FISCAL IMPACT**

**POSITIONS:** No new positions

**ASSUMPTIONS AND METHODOLOGY:** Judicial Branch

The Administrative Office of the Courts (AOC) does not anticipate that this legislation would have a substantial impact on the Judicial Branch as there would not be any significant changes in how cases are processed or disposed.

The AOC believes that the very few additional cases which may result from this bill could be absorbed within existing resources.

**ASSUMPTIONS AND METHODOLOGY:** Department of Correction

Likewise, the proposed legislation would not have a significant fiscal impact on the Department of Correction as no offenders in 1993-94 convicted of food stamp fraud were initially sentenced to active prison terms. The Sentencing Commission estimates that approximately 1-3 individuals, over and above those currently sentenced under Structured Sentencing, would be incarcerated annually over the next five years. The vast majority of these would be incarcerated as a result of parole revocations. This very small increase in incarcerated individuals could be absorbed within existing Department of Correction resources.

**SOURCES OF DATA:** Department of Correction, Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION**

733-4910

**PREPARED BY:** Charles Perusse

**APPROVED BY:** Tom L. Covington /s/TomC

**DATE:** May 29, 1996



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