NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: Senate Bill 704

SHORT TITLE: Drug Testing Costs

SPONSOR(S): Senator Reeves; Cooper and Miller

FISCAL IMPACT

Yes () No () No Estimate Available (X)

FY 1997-98 FY 1998-99 FY 1999-00 FY 2000-01 FY 2001-02

REVENUES potential negative impact, no estimate available

POSITIONS: none

PRINCIPAL DEPARTMENT(S) &

PROGRAM(S) AFFECTED: State Bureau of Investigation, Department of Justice; Local Law

Enforcement Authorities.

EFFECTIVE DATE: when bill becomes law

BILL SUMMARY: TO PROVIDE FOR RESTITUTION TO LOCAL GOVERNMENTS PROVIDING DRUG ANALYSES TESTING FOR CRIMINAL DEFENDANTS. Amends GS 90-95.3(b) as title indicates.

ASSUMPTIONS AND METHODOLOGY: Current statutes allows the court to order a convicted offender to make restitution of \$100 to the State for the costs of analysis of controlled substances. In 1995-6, the SBI Lab received \$78,009.99 in these restitution payments and they expect to receive about \$80,900 this fiscal year. Because a projection of these revenues is not included in the SBI Lab budget, these funds generally revert at the end of the fiscal year.

Currently, law enforcement authorities everywhere except Mecklenburg County send controlled substances to the SBI for analysis. Mecklenburg County does its own analysis and no restitution payments are received by the SBI for offenders from Mecklenburg.

Other counties may be considering doing their own analyses rather than using the SBI lab. In this event, restitution payments would no longer be received from those counties and there would be a decline in revenues received by the SBI. This revenue effect could happen regardless of the passage of SB 704. What SB 704 does is allow the judges authority to order the restitution payments to local authorities instead. This change may encourage more counties to consider doing their own analyses in which case the negative revenue effect would be greater.

In summary, SB 704 does not have a direct revenue or expenditure effect on the General Fund. Under current arrangements, it would have a positive revenue effect on Mecklenberg County. It may encourage more counties to do analyses of controlled substances which would have a negative effect on SBI revenues.

TECHNICAL CONSIDERATIONS: None

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