

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 670 1st Edition

SHORT TITLE: Expedite Death Penalty Cases

SPONSOR(S): Rep. Eddins

FISCAL IMPACT

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

FY 1999-00 FY 2000-01 FY 2001-02 FY 2002-03 FY 2003-04

REVENUES

EXPENDITURES

No fiscal impact, unless Supreme Court takes formal action.

POSITIONS:

**PRINCIPAL DEPARTMENT(S) &
PROGRAM(S) AFFECTED:** Judicial Branch

EFFECTIVE DATE: July 1, 1999

BILL SUMMARY:

EXPEDITE DEATH PENALTY CASES. TO REQUEST THE NORTH CAROLINA SUPREME COURT TO CONSIDER AND ADOPT RULES TO EXPEDITE APPEALS FROM CAPITAL CASES THAT INCLUDE A SENTENCE OF DEATH. As title indicates; effective July 1, 1999.

Source: Institute of Government, Daily Bulletin, March 29, 1999.

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

This bill requests, rather than mandates, action on the part of the Supreme Court. The request would include rule making to expedite the appeals process for capital cases that include a death sentence. The Fiscal Research Division finds that - absent an explicit and constitutional mandate - the passage of the bill would not have a fiscal impact, inasmuch as the operative verb in the bill is "suggests". If, however, at some future date following the passage of this bill, the

Supreme Court chose to act upon the request and create appropriate rules to expedite the appeals process in capital cases, there may indeed be a fiscal impact upon the judicial system expenditures. Short of that formal action, however, no reliable fiscal estimate is available.

TECHNICAL CONSIDERATIONS: none

FISCAL RESEARCH DIVISION 733-4910

PREPARED BY: Tammy Lester

APPROVED BY: Tom Covington

DATE: Wednesday, April 21, 1999



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