

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: Senate Bill 536

SHORT TITLE: Ban Partial-Birth Abortions

SPONSOR(S): Senators Page; Allran, Ballentine, Blust, Carpenter, Carrington, Clark, Cochrane, East, Forrester, Foxx, Garwood, Hartsell, Horton, Hoyle, Jenkins Kerr, Kincaid, Ledbetter, Martin of Pitt, McDaniel, Rucho, Shaw of Cumberland, Shaw of Guilford, Warren, and Webster.

FISCAL IMPACT

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

(in millions)

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

GENERAL FUND

Correction

No Fiscal Impact

Recurring
Nonrecurring

Judicial

No Fiscal Impact

Recurring
Nonrecurring

TOTAL EXPENDITURES

POSITIONS: It is anticipated that approximately 0 positions would be needed to supervise the additional inmates housed under this bill. This is based on inmate to employee ratios, provided by the Division of Prisons, for close, medium, and minimum custody facilities (These position totals include security, program, and administrative personnel.).

Close – 2 to 1
Medium – 3 to 1
Minimum – 4 to 1

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Dept. of Correction; Judicial Branch

EFFECTIVE DATE: This act is effective when it becomes law and applies to offenses committed and claims for relief arising on or after that date.

BILL SUMMARY:

BAN PARTIAL-BIRTH ABORTIONS. TO BAN PARTIAL-BIRTH ABORTIONS. Substantially similar to H 303, introduced 2/24/97, except makes intentional performing of partial-birth abortion by any person a class H felony; provides that woman upon whom partial-birth abortion is performed is not civilly or criminally liable; and takes effect when it becomes law.¹

ASSUMPTIONS AND METHODOLOGY:

Judicial Branch

According to the Judicial Branch, “partial birth” abortions are performed very infrequently (on the order of a few hundred nationwide per year). The Judicial Branch’s analysis also believes the vast majority of the State’s physicians would comply with the bill’s requirements. Based on this information, the Judicial Branch assumes this bill would result in few new criminal and civil cases. Any new criminal and civil cases can be absorbed within existing court resources.

Department of Correction

The Sentencing and Advisory Policy Commission does not expect this bill to have an impact on the state prison system. Based on the Judicial Branch’s analysis, the Sentencing Commission notes that if there are any new convictions, they can 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: None.

FISCAL RESEARCH DIVISION

733-4910

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DATE: April 17, 1997.



Signed Copy Located in the NCGA Principal Clerk's Offices

¹ Daily Bulletin, Institute of Government, UNC-Chapel Hill: Vol. 1997, No. 34.