

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** HB 946 (Second Edition)

**SHORT TITLE:** Possession/Manufacture of Fraudulent IDs

**SPONSOR(S):** Rep. Eddins

**FISCAL IMPACT**

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

**FY 2001-02   FY 2002-03   FY 2003-04   FY 2004-05   FY 2005-06**

**REVENUES**

**EXPENDITURES**

**POSITIONS:**

**(County jails may experience increased utilization of jail beds due to the penalties imposed by this bill. No data is available to estimate the number of additional beds needed.)**

**PRINCIPAL DEPARTMENT(S) &**

**PROGRAM(S) AFFECTED:** Administrative Office of the Courts; Department of Corrections

**EFFECTIVE DATE:** December 1, 2001

**BILL SUMMARY:** Makes possession or manufacture of fraudulent forms of identification an offense. Any person who knowingly and designedly possesses false or fraudulent forms of identification shall be guilty of a Class 1 misdemeanor. Any person who knowingly and designedly manufactures a false or fraudulent form of identification shall be guilty of a Class 1 misdemeanor. Makes it unlawful to possess fraudulent identification while attempting to obtain alcoholic beverages or while attempting to obtain or obtaining permission to purchase alcoholic beverages from a permittee. The Act becomes effective December 1, 2001 and applies to offenses committed on or after that date.

**ASSUMPTIONS AND METHODOLOGY:** The Administrative Office of the Courts (AOC) indicates that while they might see an increase in the number of charges resulting from this proposal, they do not have available data to estimate the number of such charges. AOC offense code data for calendar year 2000 reveals that about 400 defenders were

charged with various offenses involving a fraudulent or false identification card or driver's license.

The NC Sentencing Commission indicates that since the proposal covers conduct that is not currently a criminal offense, they cannot estimate how many offenders might be sentenced. However, because the proposed possession offense involves Class 1 misdemeanors, it is not expected to have a significant impact on the prison population. The average sentence length imposed for Class 1 misdemeanors is 45 days. Offenders serving active sentences of 90 days or less are housed in county jails. It is estimated that if there were three convictions for the proposed offense of manufacturing a false or fraudulent identification, the combination of active sentences and probation revocations would result in the need for one prison bed the first year and two prison beds the second year.

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION 733-4910**

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**DATE:** April 25, 2001



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