

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** SB 680 (4<sup>th</sup> Edition PCS)  
**SHORT TITLE:** Lawful Firearm Activities Protected  
**SPONSOR(S):** Senator Odom

**FISCAL IMPACT**

Yes ( )	No (X)	No Estimate Available (X)		
	Section 1	Section 2		
<u>FY 2001-02</u>	<u>FY 2002-03</u>	<u>FY 2003-04</u>	<u>FY 2004-05</u>	<u>FY 2005-06</u>

**REVENUES**

**Department of Justice--No Estimate Available\***

**GENERAL FUND EXPENDITURES**

**Department of Justice--No Fiscal Impact**

**POSITIONS:** 0

**PRINCIPAL DEPARTMENT(S) &**

**PROGRAM(S) AFFECTED:** Department of Justice; County Governments.

**EFFECTIVE DATE:** Section 1 of this act is effective when it becomes law and applies to any action pending or filed on or after that date. Section 2 of this act becomes effective December 1, 2001, and applies to fees assessed on or after that date. Sections 3 and 4 of this act are effective when they become law.

**\*Potential loss possible but cannot be estimated.**

**BILL SUMMARY:**

The proposed bill adds new G.S. 14-409.40(g), which provides that only the state may bring certain civil actions against firearms or ammunition marketers, manufacturers, distributors, dealers, sellers, or trade associations. This bill would further require the Attorney General to bring any action against any of the aforementioned parties on behalf of the State.

Amends G.S. 14-415.19 (Concealed Handgun Permit) to provide that the renewal fee for persons age 70 and older would be five dollars (\$5.00).

**ASSUMPTIONS AND METHODOLOGY:**

Section 1

As it relates to new G.S. 14-409.40(g), Department of Justice (DOJ) does not expect any impact from this bill given the small number of cases.

Section 2

Under current law, the renewal fee is seventy-five dollars (\$75.00). Of this amount, the county must remit forty dollars (\$40.00) to the NC Department of Justice, State Bureau of Investigation (SBI) for the costs of State and federal criminal record checks. The County uses the remaining thirty-five dollars (\$35.00) to cover the costs of administering this requirement and for other law enforcement purposes. With the proposed PCS, the renewal fee for persons 70 or older would be reduced to five dollars (\$5.00).

It is important to note that of the amount the SBI receives, \$22.00 is remitted to the Federal Bureau of Investigation (FBI) for the cost of the national fingerprint/criminal history check. The remaining amount is retained by the SBI to offset costs associated with conducting the state criminal history check and with mailing, processing, and filing the documents. With the renewal fee reduction for persons 70 or older to five dollars (\$5.00), the PCS does not permit the SBI to receive the necessary amount to cover the costs of criminal background checks.

Fiscal Research and the Department of Justice have no data available on which to estimate the number of individuals 70 years or older that this provision would apply. Furthermore, Fiscal Research has no way of estimating the amount of revenue loss the Department of Justice and county governments would incur due to the fee reduction, but a fiscal impact is expected.

**SOURCES OF DATA:** Department of Justice, General Statutes

**TECHNICAL CONSIDERATIONS:** With amended G.S. 14-415.19(a), it is unclear as to how the Department of Justice and the county governments will cover the costs for criminal record checks and administering the program for persons 70 years or older.

**FISCAL RESEARCH DIVISION:** 733-4910

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**APPROVED BY:** James D. Johnson

**DATE:** July 26, 2001



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