

GENERAL ASSEMBLY OF NORTH CAROLINA



Session 2009

Legislative Fiscal Note

BILL NUMBER: House Bill 33 (First Edition)

SHORT TITLE: Visual Record/Homicide Interrogation.

SPONSOR(S): Representative K. Alexander

FISCAL IMPACT

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

FY 2009-10 FY 2010-11 FY 2011-12 FY 2012-13 FY 2013-14

REVENUES:

EXPENDITURES:

PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: Department of Correction, Department of Juvenile Justice and Delinquency Prevention, Department of Justice

EFFECTIVE DATE: December 1, 2009

BILL SUMMARY:

Article 8 of GS Chapter 15A requires the creation of an electronic recording of an entire custodial interrogation in homicide investigations. Amends GS 15A-211(c) to redefine electronic recording to mean a visual recording that simultaneously makes an audio recording of the recorded interrogation (was, an audio recording or a visual recording). Requires that the video camera inserts date and time stamps during the interrogation and that the date and time stamps must be displayed during playback of the video. Makes conforming changes. Effective December 1, 2009, and applies to interrogations taking place on or after that date

Source: Bill Digest H.B. 33 (02/02/0200).

ASSUMPTIONS AND METHODOLOGY:

This bill proposes a technical change in the definition of an electronic recording. The parties responsible for conducting these recordings and incurring any cost to do so remain the same.

The sites at which these recordings take place may be State or county facilities. In the case of State prisons and youth development centers, however, the responsibility to obtain the proper equipment and conduct the recording falls on the investigating law enforcement agency. Thus, *the Departments of Correction and Juvenile Justice and Delinquency Prevention do not expect to incur a fiscal impact as a result of this bill.*

The Department of Justice (DOJ) is making audio recordings of interrogations as specified under current law and did not provide a cost estimate for this bill. Therefore, Fiscal Research assumes that DOJ will not incur any additional costs to implement the requirements of this bill.

Local government agencies may experience additional costs in order to comply with this bill; however, because Fiscal Research has no way of determining these costs, any fiscal impact to local agencies is not covered by this fiscal note.

SOURCES OF DATA: Department of Correction, Department of Juvenile Justice and Delinquency Prevention

TECHNICAL CONSIDERATIONS: None

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