



# NORTH CAROLINA GENERAL ASSEMBLY

2025 Session

## Legislative Incarceration Fiscal Note

**Short Title:** Virtual Currency Kiosk Consumer Prot. Act.  
**Bill Number:** House Bill 920 (Second Edition)  
**Sponsor(s):**

### FISCAL IMPACT SUMMARY

Criminal offenses are classified as misdemeanors (Class 3 as the lowest and Class A1 as the highest) and felonies (Class I to Class A). There are three types of legislative changes to offenses that may result in a fiscal impact to the State’s criminal justice system: creating a new offense, changing the class of an existing offense, or changing the scope of an existing offense.

The proposed legislation creates a new **Class 1 misdemeanor** for facilitating or inducing a fraudulent virtual currency kiosk transaction. Because this is a new charge, there is no data to predict how many individuals may be charged or convicted. **Therefore, Fiscal Research is unable to project the fiscal impact** of the proposed legislation on the criminal justice system.

Each additional person charged under the proposed offenses will have a cost to the judicial system and each additional person convicted will have a cost to the correction system. The **cost of one charge and conviction** is listed in the table below, along with the percent of cases that incur those costs at that offense level.

| Cost of One Charge and Conviction in H920 v.2  |                             |                           |   |      |              |                                      |                    |                 |         |              |
|--|-----------------------------|---------------------------|---|------|--------------|--------------------------------------|--------------------|-----------------|---------|--------------|
|  | Prosecution and Defense     |                           | Active Sentence   |      |              |                                      | Suspended Sentence |                 |         |              |
| Offense Class  | Admin. Office of the Courts | Indigent Defense Services | DAC - Confinement   |      |              | DAC - Post-Release Supervision (PRS) |                    | DAC - Probation |         |              |
| Misdemeanor  | Cost                        | Cost                      | Rate  | Cost | Length (Mo.) | Cost                                 | Length (Mo.)       | Rate            | Cost    | Length (Mo.) |
| 1  | \$346                       | \$254                     | Active sentences for misdemeanor convictions are served in County jail. |      |              | Misdemeanants do not receive PRS.    |                    | \$1             | \$3,931 | 14           |
| <i>Note: Court costs reflect the average cost per disposition. Costs for active sentences, probation, and post-release supervision reflect the total cost of the sentence or supervision period. Costs to the Statewide Misdemeanant Confinement Program (SMCP) only occur for active sentences &gt; 90 days and impaired driving.</i> |                             |                           |   |      |              |                                      |                    |                 |         |              |

## FISCAL IMPACT OF H.B.920, V.2

|                            | <u>FY 2026-27</u>   | <u>FY 2027-28</u> | <u>FY 2028-29</u> | <u>FY 2029-30</u> | <u>FY 2030-31</u> |
|----------------------------|---|-------------------|-------------------|-------------------|-------------------|
| <b>State Impact</b>        |   |                   |                   |                   |                   |
| General Fund Revenue       | -   | -                 | -                 | -                 | -                 |
| <u>Less Expenditures</u>   | -   | -                 | -                 | -                 | -                 |
| <b>General Fund Impact</b> | <b>No Estimate Available - Refer to Fiscal Analysis section</b> |                   |                   |                   |                   |

### **FISCAL ANALYSIS**

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The proposed legislation creates G.S. 53-458 (Facilitating or inducing a fraudulent virtual currency kiosk transaction a misdemeanor) which establishes a new **Class 1 misdemeanor** for any person who facilitates or induces a fraudulent virtual currency kiosk transaction.

Because this is a new charge, there is no data to predict how many individuals may be charged or convicted. **Therefore, Fiscal Research is unable to project the fiscal impact** of the proposed legislation on the criminal justice system. Please refer to the table in the Fiscal Impact Summary for the average costs of a Class 1 misdemeanor.

### **TECHNICAL CONSIDERATIONS**

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- Offense changes are typically effective on December 1. FRD assumes that costs incurred in the first year to the judicial and correction systems would be less than annualized costs due to lag time in charges and convictions.
- This estimate assumes that expanding existing or creating new criminal offenses produces no deterrent or incapacitative effect on crime rates. Likewise, FRD assumes no deterrent effects for any modifications to criminal penalties. The estimates in this Incarceration Note make no assumptions about the larger impact on crime rates or costs to society or the State.
- This estimate makes no prediction regarding the likelihood that a prosecutor will charge an offense based on any proposed increases or decreases to the offense class level. This estimate also does not attempt to predict the impact of offense class changes on plea negotiations. FRD assumes the proposed offense class is charged and convicted at the same rate as the prior level.
- For reference, Appendix A to this document shows the costs per charge/conviction for each class of offense in North Carolina.

### **DATA SOURCES**

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Department of Adult Correction; Administrative Office of the Courts; North Carolina Sentencing and Policy Advisory Commission; Office of Indigent Defense Services.

### **LEGISLATIVE FISCAL NOTE – PURPOSE AND LIMITATIONS**

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This document is an official fiscal analysis prepared pursuant to Chapter 120 of the General Statutes and rules adopted by the Senate and House of Representatives. The estimates in this analysis are

based on the data, assumptions, and methodology described in the Fiscal Analysis and Technical Consideration sections of this document. This document only addresses sections of the bill that have projected direct fiscal impacts on State or local governments and does not address sections that have no projected fiscal impacts.

## **CONTACT INFORMATION**

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Questions on this analysis should be directed to the Fiscal Research Division at (919) 733-4910.

## **ESTIMATE PREPARED BY**

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## **ESTIMATE APPROVED BY**

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Fiscal Research Division  
June 2, 2026



**Signed copy located in the NCGA Principal Clerk's Offices**

**APPENDIX A: COSTS PER CHARGE/CONVICTION BY OFFENSE CLASS**

| Cost of One Charge and Conviction |                             |                           |   |           |              |                                      |              |                    |         |              |
|-----------------------------------|-----------------------------|---------------------------|---|-----------|--------------|--------------------------------------|--------------|--------------------|---------|--------------|
| Offense Class                     | Prosecution and Defense     |                           | Active Sentence   |           |              |                                      |              | Suspended Sentence |         |              |
|                                   | Admin. Office of the Courts | Indigent Defense Services | DAC - Confinement   |           |              | DAC - Post-Release Supervision (PRS) |              | DAC - Probation    |         |              |
| Felony                            | Cost                        | Cost                      | Rate  | Cost      | Length (Mo.) | Cost                                 | Length (Mo.) | Rate               | Cost    | Length (Mo.) |
| A                                 | \$70,930                    | \$9,190                   | 100%  | NA        | Life         | N/A                                  | N/A          | 0%                 | \$0     | 0            |
| B1                                | \$30,500                    | \$3,668                   | 100%  | \$622,245 | 231          | \$3,370                              | 12           | 0%                 | \$0     | 0            |
| B2                                | \$22,638                    | \$3,668                   | 100%  | \$371,731 | 138          | \$3,370                              | 12           | 0%                 | \$0     | 0            |
| C                                 | \$10,994                    | \$2,250                   | 100%  | \$223,577 | 83           | \$3,370                              | 12           | 0%                 | \$0     | 0            |
| D                                 | \$8,984                     | \$1,503                   | 100%  | \$161,622 | 60           | \$3,370                              | 12           | 0%                 | \$0     | 0            |
| E                                 | \$4,197                     | \$890                     | 57%   | \$70,036  | 26           | \$3,370                              | 12           | 43%                | \$8,986 | 32           |
| F                                 | \$2,364                     | \$765                     | 54%   | \$48,487  | 18           | \$2,527                              | 9            | 46%                | \$8,424 | 30           |
| G                                 | \$1,951                     | \$660                     | 41%   | \$40,406  | 15           | \$2,527                              | 9            | 59%                | \$7,301 | 26           |
| H                                 | \$1,300                     | \$517                     | 36%   | \$26,937  | 10           | \$2,527                              | 9            | 64%                | \$6,739 | 24           |
| I                                 | \$946                       | \$430                     | 16%   | \$16,162  | 6            | \$2,527                              | 9            | 84%                | \$5,897 | 21           |
| Misdemeanor                       | Cost                        | Cost                      | Rate  | Cost      | Length (Mo.) | Cost                                 | Length (Mo.) | Rate               | Cost    | Length (Mo.) |
| A1                                | \$599                       | \$284                     | Active sentences for misdemeanor convictions are served in County jail. |           |              | Misdemeanants do not receive PRS     |              | 61%                | \$4,493 | 16           |
| 1                                 | \$346                       | \$254                     |   |           |              |                                      |              | 61%                | \$3,931 | 14           |
| 2                                 | \$183                       | \$254                     |   |           |              |                                      |              | 75%                | \$3,650 | 13           |
| 3                                 | \$63                        | \$210                     |   |           |              |                                      |              | 82%                | \$3,650 | 13           |

*Note: Court costs reflect the average cost per disposition. Costs for active sentences, probation, and post-release supervision reflect the total cost of the sentence or supervision period. Active sentence cost represents the average monthly cost per offender, not the cost of adding one new offender to the prisoner population. Costs to the Statewide Misdemeanant Confinement Program (SMCP) only occur for active sentences > 90 days and for impaired driving.*