

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: House Bill 147
SHORT TITLE: Outlaw Dog Fights
SPONSOR(S): Representative Weatherly

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

Recurring
Nonrecurring

No Fiscal Impact

Judicial

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: Applies to offenses committed on or after December 1, 1997.

BILL SUMMARY: *TO CREATE THE FELONY OFFENSE OF DOG FIGHTING AND BAITING.* Adds new GS 14-362.2 to make it a class I felony to instigate, promote, conduct, be employed at, provide a dog for, allow property to be used for, or profit from an exhibition featuring the fighting or baiting of a dog. Provides that a lease of property for this purpose is void, and that a lessor must evict a lessee who is using or planning to use the leased property for dog fights. Also makes it a class I felony to be a spectator at a dog fight, or to own, possess or

train a dog with the intent that the dog be used for fighting or baiting. A subsequent offense within 3 years is a class H felony. Applies to offenses committed on or after Dec. 1, 1997.

ASSUMPTIONS AND METHODOLOGY: Department of Correction and Judicial Department

Currently, the Judicial Department does not have a code for offenses relating to specifically to dog fights. In 1996, there were seven defendants convicted of misdemeanor animal fighting, which may include fights involving dogs, cocks, cats, etc. Based on this finding, the Sentencing Commission does not expect that the proposed legislation would have any significant impact on prison populations. The Sentencing Commission estimates, for example, that if 10 individuals were convicted of these offenses per year approximately 1 or 2 additional inmates would be added to the prison population. If there were as many as 30 convictions no more than 3 to 6 additional inmates would be added to the prison system. These few potential additional inmates could be absorbed within existing Department of Correction resources.

Likewise, there would not be a significant fiscal impact on the Judicial Branch as there would not be any major changes in the time required to process or dispose of these cases.

SOURCES OF DATA: Department of Correction, Judicial Branch; North Carolina Sentencing and Policy Advisory Commission

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

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DATE: March 3, 1997



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