

**NORTH CAROLINA GENERAL ASSEMBLY**

**LEGISLATIVE FISCAL NOTE**

**BILL NUMBER:** Amendment S1394-ARM-001 to Senate Bill 1394

**SHORT TITLE:** Violation and Penalty Provision to Adoption Registry

**SPONSOR(S):** Senator Moore

<b>FISCAL IMPACT</b>					
	<b>Yes ( )</b>	<b>No (X)</b>	<b>No Estimate Available ( )</b>		
	<b><u>FY 1998-99</u></b>	<b><u>FY 1999-00</u></b>	<b><u>FY 2000-01</u></b>	<b><u>FY 2001-02</u></b>	<b><u>FY 2002-03</u></b>
<b>EXPENDITURES</b>					
<b>Correction</b>					
Recurring					
Nonrecurring					
			<b><u>No Fiscal Impact</u></b>		
<b>Judicial</b>					
Recurring					
Nonrecurring					
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>	Department of Health and Human Services, Department of Correction, Judicial Department				
<b>EFFECTIVE DATE:</b>	January 1, 1999				

**BILL SUMMARY:** This amendment adds G.S. 48-11-104 to make it unlawful for a person having custody or access to documents filed pursuant to the adoption registry laws to release this information except as authorized. Only adoptees over 18 years of age and their biological relatives are authorized to use the adoption registry. Willful violation of this provision is a Class I felony.

**ASSUMPTIONS AND METHODOLOGY:**

Department of Correction

Since this amendment establishes a new felony offense, the Sentencing Commission does not have any conviction data available from which to estimate the impact to the prison population. However, the Administrative Office of the Courts (AOC) estimates that few convictions will result each year for this offense. The Sentencing Commission's best estimate is that if there are 30 convictions for this offense, there would be one inmate added to the prison population.

Judicial Department

The Judicial Department does not expect this provision to have any appreciable impact on the court system. Since the registry is a new entity, the department cannot estimate how frequently unauthorized dissemination of adoption information would occur. Class I felony cases that proceed to court increase court workload and personnel expenses. However, as mentioned above, the department anticipates that such occurrences would be relatively infrequent and thus would not produce a fiscal impact to the courts.

**TECHNICAL CONSIDERATIONS:** None

**SOURCES OF DATA:** Sentencing Commission, Judicial Department

**FISCAL RESEARCH DIVISION**

**733-4910**

**PREPARED BY:** Matt Bronson and Jim Mills

**APPROVED BY:** Tom Covington

**DATE:** July 14, 1998



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