

N.C. GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

Fiscal Research  
733-4910

Prepared By: Richard Bostic	Date Prepared: July 14, 1989	Bill No. HB 1095	Edition: House Comm. Sub.
Approved By: Tom Covington TOMC	JULY 14, 1989		Sponsor: Rep. Vernon James
Short Title: Bond Forfeiture Change			

TYPE OF FISCAL IMPACT	COUNTY		FUNDS AFFECTED:			
	State Gov't	Local Gov't	( ) General	( ) Highway	(X) Local	
			State Fiscal Impact	FY	FY	FY
No Fiscal Impact	( )	( )	State Total Req'ments Receipts/Revenues			
Increase Expenditure	( )	( )	Net State Expend./Rev. No. of Positions			
Decrease Expenditure	( )	( )				
			Local Fiscal Impact	FY	FY	FY
Increase Revenue	( )	( )	Local Total Req'ments Receipts/Revenues			
Decrease Revenue	( )	( )	Net Local Expend./Rev. No. of Positions			
No Estimate Avail.	( )	(X)				

Description of Legislation

1. Summary of Legislation:

The act provides that a professional bail bondsman may avoid forfeiture by surrendering the defendant within 90 days after the date of service.

2. Effective Date:

Upon ratification

3. Fund or Tax Affected: County school funds

4. Principal Department/Program Affected:

Contributions to local schools

Cost or Revenue Impact on State

FY	FY	FY
88-89	89-90	

1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

3. Fiscal/Revenue Assumptions

Cost/Revenue Impact on County or Local Government

FY	FY	FY
88-89	89-90	

1. Non-Recurring Costs/Revenues

2. Recurring Costs/Revenues

3. Fiscal/Revenue Assumptions

Sources of Data for Fiscal Note

Department of Insurance, Department of Public Instruction,  
Association of County Commissioners

Technical Considerations/Comments

According to Article IX, Section 7 of the North Carolina Constitution, "proceeds of all penalties and forfeitures and of all fines collected in the several counties for any breach of the penal laws of the State, shall belong to and remain in the several counties, and shall be faithfully appropriated and used exclusively for maintaining free public schools." Since this bill is designed to reduce the likelihood that bail bond will be forfeited, then it is also likely that the revenues going to local schools from these forfeited bonds will also decline. Unfortunately there is insufficient data on revenues currently generated from forfeitures and on the percentages of forfeitures this bill would affect.

**Signed Copy Located in the NCGA Principal Clerk's Offices**