

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 1020

SHORT TITLE: No Animal Antifreeze Poison

SPONSOR(S): Representative Gardner

FISCAL IMPACT: Expenditures: Increase () Decrease ()
 Revenues: Increase () Decrease ()
 No Impact (X)
 No Estimate Available ()

FUND AFFECTED: General Fund () Highway Fund () Local Fund ()
 Other Fund ()

BILL SUMMARY: "TO PROHIBIT PLACEMENT OF ANTIFREEZE IN AREAS WHERE IT MAY POISON ANIMALS." Amends G.S. 14-401 to make it unlawful to put any antifreeze that contains ethylene glycol and that is not in a closed container in any public street or alley, or on any lot in a town or city, or on any public road, open field, woods or yard in the country.

AMENDMENT: A planned amendment by the bill's sponsor would exempt "accidental spillage or disposal of antifreeze containing ethylene glycol."

EFFECTIVE DATE: December 1, 1993

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED: Judicial Department; Department of Correction

FISCAL IMPACT

	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u> 95-96	<u>FY</u> 96-97	<u>FY</u> 97-98
EXPENDITURES	0	0	0	0	0
NON-RECURRING					
REVENUES/RECEIPTS	0	0	0	0	0
RECURRING					
NON-RECURRING					

POSITIONS: No new positions.

ASSUMPTIONS AND METHODOLOGY: Based on telephone interviews with three animal cruelty investigators representing different counties in North Carolina and a representative of the Humane Society of the United States (South Central Regional Office), it is not estimated that the proposed legislation would have a significant fiscal impact upon the Judicial Department or the Department of Correction. It is

estimated that fewer than 25 new filings per year would result under the proposed legislation. These new cases would spread across the state and involve little court time. An unknown number of convicted offenders (fewer than 25) would be guilty of a misdemeanor and could be fined or incarcerated at the discretion of the court. It is unlikely that many (if any) of these offenders would be sentenced to an active term of imprisonment. Offenders in related animal cruelty cases almost always receive a suspended sentence and/or fine.

SOURCES OF DATA: Animal Cruelty Investigators in Rowan, Wake, and Wilson Counties; Wake County SPCA; Humane Society of the United States; Administrative Office of the Courts.

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION

733-4910

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DATE: 10-MAY-93

[FRD#003]



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