

# GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2015

## Legislative Fiscal Note

**BILL NUMBER:** Senate Bill 29 (Third Edition)

**SHORT TITLE:** County Eugenics Compensation Authority.

**SPONSOR(S):**

<b>FISCAL IMPACT</b>					
(\$ in millions)					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> No Estimate Available					
State Impact	FY 2016-17	FY 2017-18	FY 2018-19	FY 2019-20	FY 2020-21
General Fund Revenues:					
General Fund Expenditures:					
State Positions:					
<b>NET STATE IMPACT</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>	<b>\$0.0</b>
<b>PRINCIPAL DEPARTMENT(S) &amp; PROGRAM(S) AFFECTED:</b>					
Industrial Commission, Department of Administration, Department of Health and Human Services					
<b>EFFECTIVE DATE:</b> when it becomes effective					
<b>TECHNICAL CONSIDERATIONS:</b>					
None					

**BILL SUMMARY:**

Section 1 of the bill would add new G.S. 153A-248.1 allowing a county to adopt an ordinance to provide for the compensation of qualified recipients asexualized or sterilized under county authority. A qualified individual must be alive at the time the claim is made and all claims must be made by no later than December 31, 2019. An ordinance adopted by a county must either provide for due process under the law to be handled through a process by the county or through a claim with the Industrial Commission. If the claimant dies during the process, compensation will be made to the estate. Any payment made under this section shall not be considered income or assets for purposes of determining the eligibility for, or the amount of, any benefits or assistance under any State or local program financed in whole or in part with State funds. The Department of Health and Human Services (DHHS) shall assist with this. Any agreement for the acceptance of attorneys' fees is null and void unless counsel has sought and received an opinion from the North Carolina State Bar that the fee arrangement is reasonable under the Rules of Professional Conduct. The Industrial Commission, the Department of Administration (DOA), DHHS, and all other State agencies, departments, and institutions shall collaborate with the county to facilitate the administration of this section so as to effectuate the compensation of qualified recipients fairly and as soon as practicable. The bill does not affect any prior statute of limitations and limits a county's liability to compensation authorized by this section.

Section 2 of the bill limits this act to counties having a population over 350,000, according to the most recent federal decennial census.

Section 3 makes the act effective when it becomes law.

**ASSUMPTIONS AND METHODOLOGY:**

The bill will have no fiscal impact for the State. The bill requires counties to reimburse the Industrial Commission for actual expenses, leading to no fiscal impact to the State for this agency. There will be no fiscal impact for either DOA or DHHS for their requirements under this bill. Because the bill is permissive, the bill will not necessarily have a fiscal impact on local governments with a population over 350,000.

**SOURCES OF DATA:** Fiscal Research Division

**TECHNICAL CONSIDERATIONS:** None

**FISCAL RESEARCH DIVISION:** (919) 733-4910

**PREPARED BY:** William Childs

**APPROVED BY:**

Mark Trogdon, Director  
**Fiscal Research Division**

**DATE:** June 9, 2016



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