NORTH CAROLINA GENERAL ASSEMBLY LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 458

SHORT TITLE: DWI-Assessment Enhancement/AB
SPONSOR(S): Senate Committee Substitute

FISCAL IMPACT: Expenditures: Increase () Decrease (X)

Revenues: Increase (X) Decrease ()

No Impact ()

No Estimate Available ()

FUND AFFECTED: General Fund (X) Highway Fund () Local Govt. ()
Other Funds () General Fund Non-tax Revenue; Recurring

BILL SUMMARY:

The proposed act expands the requirement to obtain a substance abuse assessment and either education or treatment services to provisional licensees; if HB 353 is enacted the requirements will apply to those less than 21 years old. It requires the Division of Motor Vehicles to notify those convicted that they must comply with the conditions of the act and that a list of the agencies authorized to provide the services may be obtained from the area mental health authority. If those convicted do not complete one of the required services, their drivers license will remain revoked until the certification is completed.

Deletes the \$50.00 refund of the \$100.00 fee paid by offenders assigned to community service if they complete an Alcohol and Drug Education Traffic School, ADETS.

The act does not change the scope of levels one through five DWI punishment. It is mandatory for a DWI offender to obtain a substance abuse assessment. Under the proposed act a judge may require a substance abuse assessment as a condition of probation even though obtaining an assessment is a requirement for restoration of a drivers license.

EFFECTIVE DATE: January 1, 1996

PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:

Local Area Mental Health Services Local Clerks of Court Division of Motor Vehicles

ESTIMATE
FISCAL IMPACT
(\$ Millions)

FY FY FY FY 95-96 96-97 97-98 98-99 99-00

REVENUES:

GENERAL FUND

Expenditures A maximum reduction of \$2.5 million a year

ASSUMPTIONS AND METHODOLOGY: The Administrative Office of the Courts reports \$2,458,169 in net revenues collected in fiscal year 93-94 from the DWI Community Service Program. Offenders are required to pay \$100.00 to participate in the community service program. Under the current program an individual assigned to perform community service may receive a \$50.00 refund from the clerk of court if they also complete the Alcohol and Drug Education Traffic School, [ADETS]. The estimate assumes that all the offenders assigned to community service do participate in the ADETS program and receive a \$50.00 refund. [If this act is ratified, in its current version, offenders performing community service will not be granted a refund for participating in ADETS; the total fee paid will be \$100.00.]

The increase in revenue is due to the inclusion of those drivers under 21 who will be required to have an assessment if HB 353 is enacted, and the subsequent elimination of the expenditure of the \$50.00 refund.

SOURCES OF DATA:

Administrative Office of the Courts N.C. Department of Human Resources

FISCAL RESEARCH DIVISION

733-4910

PREPARED BY: H. Warren Plonk

APPROVED BY: Tom L. Covington TomC

DATE: July 24, 1995

[FRD#001]

Official

Fiscal Research Division
Publication

Signed Copy Located in the NCGA Principal Clerk's Offices