

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

House Bill 1312 (Delegate Menes)  
Judiciary

Referred to Judicial Proceedings

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**Crimes - Drug-Induced Conduct**

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This amended bill makes it a misdemeanor for a person to administer a controlled dangerous substance to another person “without that person’s knowledge” and with the intent to commit a crime of violence or a third or fourth degree sexual offense against that person.

Violators are subject to maximum penalties of a fine of \$2,500 and/or imprisonment of one year, which may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation.

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**Fiscal Summary**

**State Effect:** Potential indeterminate increase in general fund revenues and expenditures due to the bill’s penalty provisions.

**Local Effect:** Potential indeterminate increase in revenues and expenditures due to the bill’s penalty provisions.

**Small Business Effect:** None. The bill would not directly affect small businesses.

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**Fiscal Analysis**

**State Revenues:** General fund revenues could increase under the bill’s monetary penalty provision for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

**State Expenditures:** Persons serving a sentence of one year or less are sentenced to a local detention facility. The State reimburses counties for part of their per diem rate after a person

has served 90 days. State per diem reimbursements for fiscal 1998 are estimated to range from \$12 to \$42 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility, with an average monthly cost estimated at \$1,500 for fiscal 1998. [The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1998 is estimated at \$43 per inmate.]

**Local Revenues:** Revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed.

**Local Expenditures:** Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$23 to \$83 per inmate in fiscal 1998.

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**Information Source(s):** Department of Public Safety and Correctional Services (Division of Correction), Department of Fiscal Services

**Fiscal Note History:** First Reader - March 17, 1997  
ncs Revised - House Third Reader - March 27, 1997

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