

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 1245 (Delegate Perry)
Judiciary

Referred to Judicial Proceedings

Crimes - Unauthorized Use - Penalties

This amended bill increases the maximum penalties for unauthorized use of specified livestock and vehicles from a fine of not more than \$100 and/or imprisonment for not more than four years to a fine of not more than \$5,000 and/or imprisonment for not more than five years.

Fiscal Summary

State Effect: Indeterminate increase in general fund revenues and expenditures due to the bill's penalty provisions.

Local Effect: 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.

Fiscal Analysis

State Revenues: Under current law, offenders convicted of unauthorized use of specified vehicles or livestock could be fined no more than \$100. Under the provisions of this bill, offenders can be fined up to \$5,000. As such, general fund revenues could increase for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

State Expenditures: General fund expenditures could increase as a result of the bill's increased incarceration penalty due to more people being committed to a Division of Correction (DOC) facility for longer periods of time and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences

imposed.

Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1998 the average monthly cost per inmate is estimated at \$1,500.

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: As a result of the bill's increased monetary penalty, revenues could increase 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 increased 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.

Information Source(s): Judiciary (District Court of Maryland), Department of Public Safety and Correctional Services (Division of Correction), Department of Fiscal Services

Fiscal Note History: First Reader - March 11, 1997

ncs Revised - House Third Reader - March 25, 1997

Analysis by: Lori Caldwell-Valentine

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710