

Department of Legislative Services
 Maryland General Assembly
 2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 341
 Judiciary

(Delegate Valentino-Smith, *et al.*)

Commission to Study the Disproportionate Justice Impact on Minorities

This bill establishes a Commission to Study the Disproportionate Justice Impact on Minorities, staffed by the Department of Legislative Services (DLS). The commission must report its findings and recommendations to the Governor and the General Assembly by December 1, 2016.

The bill takes effect June 1, 2016, and terminates May 31, 2018.

Fiscal Summary

State Effect: General fund expenditures increase by \$150,000 in FY 2017 only for DLS to procure consultant services to assist with data analysis and research for the commission. Revenues are not affected.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	150,000	0	0	0	0
Net Effect	(\$150,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The commission must:

- identify, study, and report on the nature and extent of any harm caused to minority communities by the application of criminal laws and sentencing provisions of the State;
- identify a standardized method for collecting and analyzing data on the racial and ethnic identity of those detained or arrested by State and local law enforcement;
- hold at least two public meetings before October 1, 2016, during which the commission receives input or testimony from the Maryland Judiciary, the Sentencing Project, and members of the public;
- make recommendations for legislation and policy changes to address the disproportionate minority impact of criminal laws and sentencing provisions in the State; and
- make recommendations on any other relevant issues or considerations identified by the commission.

Commission members may not receive compensation but are entitled to reimbursement for expenses under the standard State travel regulations, as provided in the State budget.

State Expenditures: General fund expenditures increase by \$150,000 in fiscal 2017 only for DLS to procure consultant services to assist with the data analysis and research that is required to successfully staff the commission. This estimate is based on (1) the scope of the research and data that must be collected and analyzed to fulfill the commission's charge; (2) the compressed timeline in which the research and data collection/analysis must be completed; and (3) past experience with expenses incurred by DLS to procure consultant services.

Any expense reimbursements for commission members are assumed to be minimal and absorbable within existing budgeted resources.

Additional Information

Prior Introductions: HB 1228 of 2013 received an unfavorable report from the House Judiciary Committee.

Cross File: SB 800 (Senator Pugh) - Judicial Proceedings.

Information Source(s): Office of the Attorney General, Governor's Office of Crime Control and Prevention, Maryland State Commission on Criminal Sentencing Policy, Judiciary (Administrative Office of the Courts), Office of the Public Defender, State's Attorneys' Association, Department of Juvenile Services, Department of Public Safety and Correctional Services, Department of State Police, Department of Legislative Services

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md/lgc

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