

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 782 (Delegate Harkins, et al.)
Judiciary

Firearms - Drug Trafficking Crimes - Penalties

This bill increases the penalty for using, wearing, carrying, or transporting a firearm in relation to any drug trafficking crime.

Fiscal Summary

State Effect: Potential indeterminate increase in general fund expenditures. No effect on revenues.

Local Effect: None.

Fiscal Analysis

Bill Summary: The bill increases the maximum penalty for a first offense from 20 to 25 years. The minimum penalty of five years without parole is not affected. In addition it changes the sentence for a subsequent offense from 10 to 20 years to 15 to 25 years. The minimum penalty of 10 years without parole is not affected. The provision that the sentence must be consecutive to any other sentence is also not affected.

State Expenditures: General fund expenditures could increase as a result of the bill's increased incarceration penalty, as people may be committed to Division of Correction (DOC) facilities for longer periods. Any increase would depend upon the number of convictions and sentences imposed.

In 1995 there were 193 persons admitted to DOC facilities for handgun offenses; it is unknown how many of these people were also charged with drug trafficking.

People serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal

1997 the average monthly cost per inmate is estimated at \$1,400. For illustrative purposes, assuming sentence lengths increase by five years, and these inmates would receive parole at 50% of their sentence, time served would increase by 30 months. As a result, State costs could increase by \$42,000 for each person affected.

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

Fiscal Note History: First Reader - March 5, 1996

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