

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 844 (Delegate Goldwater, et al.)
Judiciary

Pistols and Revolvers - Sale, Transfer, and Possession - Stalking

This bill prohibits a person from selling a pistol or revolver to a person the seller knows or has reason to believe has been convicted of or is currently charged with stalking. In addition, a person convicted of or being charged with stalking may not possess a pistol or revolver.

Fiscal Summary

State Effect: Potential indeterminate increase in general fund revenues and expenditures due to existing penalty provisions.

Local Effect: Potential indeterminate increase in revenues and expenditures due to existing penalty provisions.

Fiscal Analysis

Background: Existing law provides that violators are subject to a fine of up to \$5,000, up to three years in prison, or both.

State Revenues: General fund revenues could increase under existing monetary penalty provisions 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 existing incarceration penalties due to more people being committed to a Division of Correction (DOC) facility 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 1997 the average monthly cost per inmate is estimated at \$1,400. For illustrative purposes,

under the maximum incarceration penalty of three years, the average time served, assuming parole at 50% of sentence, would be 18 months. Thus State costs could increase by \$25,200 for each person imprisoned under the bill.

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 1997 are estimated to range from \$10 to \$48 per inmate depending upon the jurisdiction. Persons sentenced in Baltimore City are incarcerated in the Baltimore City Detention Center (BCDC), a State operated facility. The per diem cost for fiscal 1997 is estimated at \$43 per inmate.

Local Revenues: Revenues could increase under existing monetary penalty provisions 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 existing incarceration penalties 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 \$19 to \$96 per inmate in fiscal 1997.

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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