

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 625 (Delegate Rosenberg, et al.)  
Judiciary

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**Computer Tampering - Penalties**

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This bill alters the penalties for computer tampering. Under current law, violations causing damages of any amount are misdemeanors subject to a fine of up to \$1,000 and/or imprisonment for up to five years. This bill applies those penalties, and maintains the offense as a misdemeanor, only when the damages are less than \$3,000. Violations causing damages of at least \$3,000 but less than \$50,000 are felonies and subject to a fine of up to \$8,000 and/or imprisonment for up to seven years. Violations causing damages of at least \$50,000 are felonies subject to maximum penalties of \$10,000 and/or 15 years.

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**Fiscal Summary**

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

**Local Effect:** Minimal increase in revenues and indeterminate decrease in expenditures as discussed below.

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**Fiscal Analysis**

**State Revenues:** Under current law, all computer tampering cases are misdemeanors and are normally tried in District Court. To the extent that violations causing damages of \$3,000 or more would be tried in circuit court as felonies, general fund revenues could decrease, depending upon the number of such cases arising and their final disposition. The decrease is assumed to be minimal.

**State Expenditures:** General fund expenditures could increase as a result of the bill's increased incarceration penalties due to more people being committed to a Division of Correction (DOC) facility.

Persons serving a sentence longer than 12 months are incarcerated in a DOC facility. In fiscal 1997 the average monthly cost per inmate is estimated at \$1,400.

There is no data to indicate the extent of current commitments, if any, for computer tampering. The DOC believes there are not many.

**Local Revenues:** Revenues could increase under the bill's increased monetary penalty provisions for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed. The increase is assumed to be minimal.

**Local Expenditures:** If under current provisions convicted violators in cases involving more than \$3,000 in damages are sentenced to less than one year, local expenditures could decrease under the bill's incarceration provisions, depending upon the number of new cases that are felonies and their final disposition. Convicted violators in the felony computer tampering cases would likely be sentenced for periods greater than one year, and thus serve that time in a State facility.

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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 - February 20, 1996

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