

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 346 (Delegate Bonsack, et al.)
Judiciary

Prescription Drugs - Evidence of Forgery

This bill authorizes the use of a sworn affidavit from a medical practitioner as proof of forgery or alteration of drug prescriptions.

Fiscal Summary

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

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

Fiscal Analysis

State Revenues: General fund revenues could increase under the applicable monetary penalty provision (maximum \$1,000 fine) for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

State Expenditures: General fund expenditures could increase to the extent that this bill will facilitate prosecution of more cases involving forged prescriptions.

The bill could result in more people being committed to a Division of Correction (DOC) facility under the applicable incarceration penalty provision (maximum two years' imprisonment) and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed. Fiscal Services has no data with which to determine how many additional prosecutions and commitments could result from this bill.

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.

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 the applicable monetary penalty provision 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 applicable 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 \$19 to \$96 per inmate in fiscal 1997.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services (Division of Correction), Department of Fiscal Services

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