

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 366 (Delegate Genn, et al.)  
Judiciary

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**Firearms - Use in the Commission of a Felony or Crime of Violence**

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This bill extends current law requiring an additional 5 to 20 year sentence for a person convicted of using a handgun or antique firearm in a felony or violent crime to all firearms. In addition, it requires a person who has a prior conviction for using a firearm in a felony or violent crime to serve five years before being eligible for parole.

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**Fiscal Summary**

**State Effect:** Indeterminate but potentially significant increase in general fund expenditures. No effect on revenues.

**Local Effect:** None.

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**Fiscal Analysis**

**Background:** Under current law, an offender can receive an additional sentence for using a handgun or antique firearm in a felony or violent crime. The additional penalties are as follows:

<u>Offense</u>	<u>Sentence</u>	<u>Parole Eligibility</u>	<u>Served</u>
First	5 to 20	Not before 5 years	Concurrently or consecutively
Subsequent	5 to 20	Yes	Consecutive

**State Expenditures:** General fund expenditures could increase as a result of the bill's incarceration penalty, as more people may be committed to Division of Correction facilities for longer periods. In fiscal 1997 the average monthly cost per inmate is estimated at \$1,400 per inmate. Any increase would depend upon the number of felonies and violent crimes committed with firearms that are not covered under the current law, the length of the

sentence for the underlying felony or violent crime, the sentence for the firearm offense, whether the person was eligible for parole after five years, and the number of convictions. Any such increase cannot be reliably estimated at this time.

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

**Fiscal Note History:** First Reader - March 12, 1996

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