

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE  
Revised

House Bill 776 (Delegate Harkins, et al.)  
Judiciary

Referred to Judicial Proceedings

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**Crimes and Punishments - Code Grabbing Devices - Prohibited**

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This amended bill prohibits a person from possessing, manufacturing, selling, or using a “code grabbing device” with the intent for the device to be used in the commission of a crime. Violators are guilty of a misdemeanor and subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

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**Fiscal Summary**

**State Effect:** Potential, indeterminate increase in general fund revenues and expenditures due to the bill’s penalty provisions.

**Local Effect:** Potential, indeterminate increase in revenues and expenditures due to the bill’s penalty provisions.

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**Fiscal Analysis**

**State Revenues:** General fund revenues could increase under the bill’s monetary penalty provision 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 the bill’s incarceration penalty due to increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed. Information is not readily available to estimate the number of persons who could be prosecuted as a result of this bill, although it is known that hundreds of garage door opener codes and other electronic serial numbers are stolen from the air waves each year.

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 bill's 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 bill's 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.

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

**Fiscal Note History:** First Reader - February 21, 1996  
ncs Revised - House Third Reader - March 18, 1996

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