

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 426 (Senator Middleton)
Judicial Proceedings

Referred to Judiciary

Charles County - Nudity in Public Places

This amended bill prohibits a person from intentionally or knowingly appearing in a public place in Charles County unclothed or in clothing that exposes certain parts of the person's body. The bill also prohibits a person who owns or operates a public place from allowing a person to perform the prohibited acts. Violators are subject to a fine not exceeding \$1,000 and/or imprisonment not exceeding one year for a first offense and, for subsequent offenses, a fine not exceeding \$10,000 and/or imprisonment not exceeding five years.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the bill's penalty provision.

Local Effect: Potential minimal increase in Charles County revenues and expenditures due to the bill's penalty provision.

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 more people being committed to a Division of Correction (DOC) facility for longer periods of time and increased payments to Charles County 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.

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 be \$36 per inmate in Charles County.

Local Revenues: Charles County revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit court, depending upon the number of convictions and fines imposed.

Local Expenditures: Charles County expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Charles County pays the full cost of incarceration for people in its facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of the Charles County Detention Center are expected to be \$42 per inmate in fiscal 1997.

Information Source(s): Department of Fiscal Services

Fiscal Note History: First Reader - February 29, 1996

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