

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 28 (Delegate Holt)  
Judiciary

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**Crimes and Punishments - Cruelty to Animals - Penalties**

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This bill changes the crimes of intentionally mutilating or cruelly killing an animal or authorizing the cruel killing or intentional mutilation of an animal, or the use or arrangement of a dog to be used in a dogfight from a misdemeanor to a felony. The penalties for these crimes remain the same (maximum \$5,000 fine and three years imprisonment).

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**Fiscal Summary**

**State Effect:** Indeterminate increase in general fund expenditures due to applicable penalty provisions. Indeterminate minimal decrease in revenues.

**Local Effect:** Indeterminate increase in revenues and expenditures due to applicable penalty provisions.

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**Fiscal Analysis**

**State Revenues:** Since felonies are not heard in the District Court, general fund revenues could decrease as a result of the applicable fines not being collected.

**State Expenditures:** Changing these crimes from misdemeanors to felonies means that none of these cases will be filed in the District Court. In fiscal 1995, 16 people were convicted of cruelty to animals. Only four of the 16 were sentenced to a prison term, but all four had at least one other conviction for a more serious offense. Twelve of the offenders were placed on probation. Unless there is a major change in sentencing patterns, expenditures relating to incarceration should not be materially affected.

**Local Revenues:** By changing these crimes from misdemeanors to felonies, cases that could have been filed in District Court will be filed solely in the circuit courts. As the number of

convictions was relatively low in fiscal 1995, it is assumed that this bill would not significantly increase local revenues resulting from the applicable monetary provision.

**Local Expenditures:** Unless there is a major change in sentencing patterns, expenditures relating to incarceration should not be materially affected. 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 \$22 to \$108 per inmate in fiscal 1997. As the number of convictions was relatively low in fiscal 1995, it is assumed that this bill would not significantly impact local expenditures.

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

**Fiscal Note History:** First Reader - January 16, 1996

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