

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 1139 (Delegate Genn)  
Judiciary

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Handgun Offenses - Forfeiture of Motor Vehicles

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This bill permits law enforcement officers to seize and sell vehicles used or intended to be used in violation of handgun laws. The bill sets forth requirements for notices, hearings, and other procedures for forfeiture and sale of vehicles.

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Fiscal Summary

**State Effect:** General fund revenues could increase by \$52,500 in FY 1997 and by \$67,500 annually thereafter. No effect on expenditures.

(in dollars)	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001
GF Revenues	\$52,500	\$67,500	\$67,500	\$67,500	\$67,500
GF Expenditures	0	0	0	0	0
Net Effect	\$52,500	\$67,500	\$67,500	\$67,500	\$67,500

Note: ( ) - decrease; GF - general funds; FF - federal funds; SF - special funds

**Local Effect:** Potential increase in revenues, partially offset by an increase in expenditures.

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Fiscal Analysis

**State Revenues:** In 1994 the Department of State Police made 248 arrests of adults for weapons violations. The State Police estimates that half (124) of these may have been vehicle related. In about three fourths of the remaining cases (93) the vehicles would not be subject to seizure because the owner of the vehicle either was not the violator or did not know of the violation. About 70% (22) of the remaining vehicles would not have a value that exceeds the lien and cost of sale, leaving nine vehicles with excess value that could be sold. Assuming the State Police seize nine vehicles annually, general fund revenues would increase by \$67,500, which reflects net proceeds of about \$7,500 per vehicle. Accounting for the October 1 effective date, and assuming seizure and sale of seven cars, revenues would increase by \$50,625 in fiscal 1997.

**State Expenditures:** The Office of the Attorney General and the Judiciary report that expenditures could increase depending upon the number of cases. The Department of Fiscal Services assumes that the increase in caseload will not be significant and will not lead to measurable increases in State expenditures.

**Local Effect:** To the extent that local law enforcement agencies are able to seize and sell vehicles used to violate handgun laws, revenues could increase. Any such increase in revenues would vary by the number of vehicles seized and the resale value. Revenue increases would be at least partially offset by the cost of seizure, towing, storage, and sale.

Baltimore City anticipates a small increase in revenues. Frederick County anticipates a net revenue increase of \$5,000 in fiscal 1997. Prince George's County anticipates an indeterminate net increase in revenues. Carroll County reports that this bill would produce a minimal amount of revenue. Harford County estimates the bill would require a deputy sheriff and a records clerk at a total cost of \$130,700.

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**Information Source(s):** Judiciary (District Court of Maryland, Administrative Office of the Courts); Office of the Attorney General; Office of the Public Defender; Department of State Police; Carroll, Harford, Frederick, and Prince George's counties; Baltimore City; Department of Fiscal Services

**Fiscal Note History:** First Reader - March 8, 1996  
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