

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 129 (Senator Hollinger, et al.)
Judicial Proceedings

Weapons-Free School Zone

This bill expands the area around a school in which it is illegal to carry a deadly weapon to 1,000 feet of any real property used by educational institutions (including colleges and universities) and on school vehicles. Exceptions are provided for persons who have weapons lawfully within the zone, on specified property or are transporting the weapon in a vehicle.

The bill also provides that a map approved by a government unit to define the boundaries of the zones shall be prima facie evidence of the zone boundary.

A fine for a conviction under this bill is raised to \$2,500 from \$1,000. The incarceration penalty for a first offense is unchanged. A second offense carries a sentence of eight to 10 years of incarceration. The bill also raises the minimum incarceration penalty for illegally carrying a handgun with the deliberate purpose of killing another person from five to eight years. Further, the bill requires the court to submit a report of its findings in such cases to the Administrative Office of the Courts.

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.

Fiscal Analysis

State Revenues: General fund revenue could increase under the bill's increased monetary penalty provision for those cases heard in District Court depending upon the number of convictions and fines imposed.

State Expenditures: This bill carries a minimum incarceration for a second violation in a school zone of eight years. It also increases the minimum sentence for carrying a weapon with the intent to kill by three years. It is unknown how many people this may affect. General fund expenditures could increase under these incarceration penalties due to more people being committed to a Division of Correction (DOC) facility for longer periods of time. In fiscal 1997 the average annual cost per inmate is estimated at \$16,800.

Expenditures for state-supported colleges and universities could increase by an indeterminate amount for development of maps designating the 1,000 foot zone, and an additional amount if the schools elect to erect signs indicating the weapons-free zones.

Local Revenues: Revenue could increase under the bill's increased monetary penalty provisions for those cases heard in the circuit courts depending upon the number of convictions and fines imposed.

Local Expenditures: The Maryland Association of Boards of Education and Kent County advise that school board expenditures would increase for printing maps and producing and posting signs. The Department of Fiscal Services advises that both of these actions are authorized by the bill, but neither is required.

Baltimore City, Worcester and Washington counties report that the bill would not have a fiscal impact.

Montgomery County reports that maps would be produced to show the 1,000 foot perimeter. However, since these already exist for drug-free zones, the cost would be minimal.

Information Source(s): Department of Public Safety and Correctional Services (Division of Correction); Maryland Association of Boards of Education; Kent, Montgomery, Washington, and Worcester counties; Judiciary (Administrative Office of the Courts); Department of Fiscal Services

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