

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 720 (Senator Haines, *et al.*)
Judicial Proceedings

**Motor Vehicles - Vessels - Life Threatening Injury - Driving While Under the
Influence of an Inhalant**

This bill provides that a person who causes a life threatening injury to another while operating a motor vehicle or vessel while under the influence of an inhalant is guilty of a misdemeanor. Violators are subject to imprisonment of up to three years and/or a fine up to \$5,000. The bill also expands the meaning of intoxicated to include any intoxication by any substance or combination of substances. Therefore, violators convicted of causing a life threatening injury to another by the negligent operation of a motor vehicle or vessel while intoxicated by any substance or combination of substances are subject to the applicable penalty of imprisonment of up to three years and/or a fine of up to \$5,000.

Fiscal Summary

State Effect: Indeterminate increase in general fund revenues and expenditures due to the bill's penalty provisions.

Local Effect: Indeterminate increase in revenues and expenditures due to the bill's penalty provisions.

Small Business Effect: None. The bill would not directly affect small businesses.

Fiscal Analysis

State Revenues: There is no data available at this time to indicate the additional number of violations that could occur. However, general fund revenues could increase under the bill's monetary penalty provisions for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

State Expenditures: There is no data available at this time to indicate the additional number of violations that could occur. However, general fund expenditures could increase as

a result of the bill's incarceration penalties due to more people being committed to a Division of Correction (DOC) facility and increased payments to counties 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 1998 the average monthly cost per inmate is estimated at \$1,500.

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 1998 are estimated to range from \$12 to \$42 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility, with an average monthly cost estimated at \$1,500 for fiscal 1998. [The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC in fiscal 1998 is estimated at \$43 per inmate.]

Local Revenues: Revenues could increase under the bill's monetary penalty provisions 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 \$23 to \$83 per inmate in fiscal 1998.

Information Source(s): Department of Public Safety and Correctional Services (Division of Correction), Judiciary (District Court), Department of Fiscal Services

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