

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 802 (Delegate Bissett)
Judiciary

Home Detention Program - Bail Bonds

This bill authorizes the Commissioner of Correction to require an inmate to post a bail bond as a condition of accepting the inmate into a “home detention” program. The bill also establishes the conditions under which the bail bond may be issued and procedures for its forfeiture and discharge.

Fiscal Summary

State Effect: General fund expenditures could increase by \$75,425 in FY 1998, which reflects the bill’s October 1, 1997 effective date. Out-year expenditures reflect annualization and inflation. Potential minimal increase in general fund revenues.

(in dollars)	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
GF Revenues	--	--	--	--	--
GF Expenditures	\$75,425	\$87,847	\$91,096	\$94,466	\$97,963
Net Effect	(\$75,425)	(\$87,847)	(\$91,096)	(\$94,466)	(\$97,963)

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

Local Effect: None.

Small Business Effect: Potential meaningful effect on small businesses as discussed below.

Fiscal Analysis

State Revenues: To the extent that inmates do not successfully complete the home detention program and forfeit their bonds, general fund revenues could increase. The increase is assumed to be minimal based on an 80% successful completion rate for inmates in the home detention program.

State Expenditures: This bill allows the Commissioner of Correction to require inmates in the Division of Correction (DOC) to post a bail bond as a condition of accepting the inmate into the home detention program. In 1996, 2,283 inmates were approved for the home detention program, which allows DOC inmates to live in a private dwelling under specified circumstances. A requirement for a bond could result in reduced placement in the home detention program if some inmates are unable to post the bond.

For illustrative purposes, if one-third of the inmates approved for home detention are unable to post a bond, 761 inmates would be required to remain in a DOC facility for a longer period of time, depending upon the sentence 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.

For those inmates who are able to post a bail bond, the additional procedures for bond collection could delay the inmates placement in the home detention program. Without actual experience, the actual amount of time inmates would remain in a DOC facility under either illustration cannot be reliably determined at this time.

Additional personnel would be required to implement the bill as there are no appropriate DOC personnel currently in the home detention program authorized to review and set bail bond amounts.

As such, general fund expenditures could increase by an estimated \$75,425 in fiscal 1998, which reflects the bill's October 1, 1997 effective date. This estimate reflects the cost of hiring one Administrative Officer, one Fiscal Associate, and one Office Secretary to review applicants, set the bond amounts, collect and disburse the bonds, and administer bond transactions with the inmates, bail bondsmen or others. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Salaries and Fringe Benefits	\$65,270
Operating Expenses	<u>\$10,155</u>
Total FY 1998 State Expenditures	\$75,425

Future year expenditures reflect (1) full salaries with 3.5% annual increases and 3% employee turnover; and (2) 2% annual increases in ongoing operating expenses.

Small Business Effect: To the extent that the Commissioner requires inmates to post bail bonds as a condition of participation in the home detention program, bail bond agencies would have a new source of clients. In 1996, 2,283 inmates were approved for the program. The impact on bail bond agencies would depend upon the number of participants who are required to post a bond and their ability to do so.

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

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