

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 184 (Senator Ferguson, *et al.*)
Judicial Proceedings

**Handguns - Wearing, Carrying, or Transporting in Commission
of a Felony or Crime of Violence**

This bill makes it a separate misdemeanor to wear, carry, or transport a handgun or antique firearm in the commission of a felony or a crime of violence. Under current law, use of a handgun or antique firearm in the commission of a felony or a crime of violence is a separate misdemeanor. Violators are subject to the current penalties for use of a handgun in the commission of a felony or a crime of violence, which are imposed in addition to any other sentence imposed for these crimes.

For a first offense, violators are subject to a mandatory term of not less than five years and no more than 20 years imprisonment in the Division of Correction (DOC). Subsequent violators are subject to a mandatory term of not less than five years and no more than 20 years imprisonment in the DOC; however, the mandatory minimum sentence must be served consecutively and not concurrently to any other sentence imposed for commission of the felony or crime of violence.

Fiscal Summary

State Effect: Potential indeterminate increase in general fund expenditures due to the applicable penalty provisions. Revenues would not be affected.

Local Effect: None.

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

Fiscal Analysis

State Expenditures: General fund expenditures could increase as a result of the applicable incarceration penalties due to more people being committed to a DOC facility, depending upon the number of convictions and sentences imposed. The DOC advises that in 1996 there were 62 intakes for conviction of carrying a deadly weapon as the most serious offense; the average sentence was 27 months. Fiscal Services has no data with which to determine how many additional prosecutions and commitments could result from this bill.

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.

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

Fiscal Note History: First Reader - March 7, 1997

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