

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 385 (Delegate Harkins, *et al.*)
Judiciary

Firearms - Drug Trafficking Crimes - Penalties

This bill increases the penalty for using, wearing, carrying, or transporting a firearm in relation to any drug trafficking crime. The bill increases the maximum penalty for a first offense from 20 to 25 years. The minimum penalty of five years without parole is not affected. In addition, it changes the sentence for a subsequent offense from 10 to 20 years to 15 to 25 years. The minimum penalty of ten years without parole is not affected. The provision that the sentence must be consecutive to any other sentence is also not affected.

Fiscal Summary

State Effect: Potential indeterminate increase in general fund expenditures. No effect on revenues.

Local Effect: None.

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

Fiscal Analysis

State Expenditures: General fund expenditures could increase as a result of the bill's increased incarceration penalty, as people may be committed to Division of Correction (DOC) facilities for longer periods. Any increase would depend upon the number of convictions and sentences imposed.

In 1996 there were 246 persons admitted to DOC facilities for handgun offenses; it is unknown how many of these people were also charged with drug trafficking.

People 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 illustrative purposes, assuming sentence lengths increase by five years, and these inmates would receive parole at 50% of their sentence, time served would increase by 30 months. As a result, State costs could increase by \$45,000 for each person affected beginning in fiscal 2003.

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

Fiscal Note History: First Reader - March 11, 1997

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