

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 1025 (Delegate Palumbo)
Judiciary

Child Custody and Visitation - Child Abduction

This bill prohibits a relative who knows that another individual has lawful visitation rights with a child under the age of 16 from harboring or hiding the child with the intent of keeping the whereabouts of the child unknown to the individual with lawful visitation rights. A relative is also prohibited from acting as an accessory to the harboring or hiding of the child.

In addition, the bill extends the time, from 96 hours to seven days, in which an individual may file a petition seeking to change a custody order as a result of an individual harboring or hiding a child under 16 years of age. Notification of the whereabouts of the child to the individual with lawful visitation rights within 30 days of the act constituting the violation is a complete defense to any action brought for such abduction. Current law penalty provisions relating to child abduction and removing a child from the State remain the same.

Fiscal Summary

State Effect: Potential indeterminate increase in general fund revenues and expenditures due to applicable penalty provisions.

Local Effect: Potential indeterminate increase in revenues and expenditures due to applicable penalty provisions.

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

Fiscal Analysis

State Revenues: General fund revenues could increase under the applicable monetary

penalty provisions for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

State Expenditures: General fund expenditures could increase as a result of the applicable incarceration penalties due to more people being incarcerated in local detention centers, and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed.

Persons serving a sentence of one year or less are sentenced to a local detention facility. The State reimburses counties for part of the 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 in Baltimore City are incarcerated in the Baltimore City Detention Center (BCDC), a State operated facility. The per diem cost for fiscal 1998 is estimated at \$43 per inmate.

Local Revenues: Revenues could increase under the applicable 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 applicable incarceration penalties due to more people being incarcerated in local detention facilities, depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration 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): Judiciary (Administrative Office of the Courts), Department of Fiscal Services

Fiscal Note History: First Reader - February 17, 1997

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