

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 1195 (Delegate Bonsack, *et al.*)
Judiciary

Crimes - Inducement to Commit Suicide

This bill makes the inducement to commit suicide a felony, punishable by a fine of up to \$10,000 or imprisonment of up to three years, or both. Inducement to commit suicide includes the provision of the physical means by which another person commits or attempts to commit suicide. Inducement to commit suicide does not pertain to (1) lawful compliance with advance directive law; or (2) a licensed health care professional who administers or prescribes medications or procedures to relieve another person's pain or discomfort, even if the medication or procedure hastens or increases the risk of death, unless the medication or procedure is administered or prescribed to cause death.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to the bill's penalty provision. No effect on revenues.

Local Effect: Potential minimal increase in revenues and expenditures due to the bill's penalty provision.

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

Fiscal Analysis

State Expenditures: General fund expenditures could increase as a result of the bill's incarceration penalty 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. Any such increase is assumed to be minimal.

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 provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed. Any such increase is assumed to be minimal.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Any such increase is assumed to be minimal. 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.

Small Business Effect: Small business health care providers could be adversely affected to the extent that they currently participate in inducement to commit suicide and are prohibited from doing so, thereby losing revenues and profits. Any adverse effects are assumed to be minimal, however.

Information Source(s): Department of Health and Mental Hygiene (Board of Nursing, Board of Physician Quality Assurance); Office of the Public Defender; Office of the Attorney General; 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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