

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 237 (Delegate Goldwater, *et al.*)
Judiciary

Regulated Firearms - Sale, Transfer, and Possession - Stalking

This bill prohibits a person from selling a regulated firearm to a person the seller knows or has reason to believe is currently charged with stalking. In addition, a person charged with stalking may not possess a regulated firearm.

Fiscal Summary

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

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

Small Business Effect: None. The bill would not materially alter the procedures a small business firearms dealer must follow when selling a firearm.

Fiscal Analysis

Background: Existing law provides that violators are subject to maximum penalties of a fine of \$10,000 and/or imprisonment for five years.

State Revenues: General fund revenues could increase under existing 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 bill's incarceration penalties 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.

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 illustrative purposes, under the bill's maximum incarceration penalty of ten years, the average time served, assuming parole at 50% of sentence, would be 18 months. Thus State costs could increase by \$90,000 for each person imprisoned under the bill.

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 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 bill's incarceration penalties depending upon the number of convictions and sentences imposed. 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.

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

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