

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 547 (Delegate Genn, *et al.*)

Judiciary

Referred to Judicial Proceedings

Vehicle Laws - Drunk and Drugged Driving - Penalties

This amended bill increases the penalty for those individuals convicted of a second or subsequent offense of driving while under the influence of any drug, combination of drugs, or combination of one or more drugs and alcohol or of driving while under the influence of a controlled dangerous substance. The bill increases the possible imprisonment term from not more than two months to not more than one year.

Fiscal Summary

State Effect: Indeterminate increase in general fund expenditures due to the bill's penalty provision. Revenues are not affected as the monetary penalty remains \$500 as under current law.

Local Effect: Indeterminate increase in expenditures due to the bill's penalty provision.

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

Fiscal Analysis

State Expenditures: General fund expenditures could increase as a result of the bill's extended incarceration penalty due to 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 to such a term in Baltimore City are generally incarcerated in a Division of Correction 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 Expenditures: Expenditures could increase as a result of the bill's extended incarceration penalty 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): Department of Public Safety and Correctional Services (Division of Correction), Department of Fiscal Services

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