

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 458 (Prince George's County Delegation)
Judiciary

Prince George's County - Weapons-Free School Zone
PG 324-97

This bill increases the penalty for carrying a deadly weapon on school property and expands the definition of school property in Prince George's County. The bill makes the maximum penalties a \$20,000 fine and/or 20 years imprisonment for a first offense and \$40,000 and/or 40 years for a subsequent offense. Current law provides for \$1,000 and/or three years for a deadly weapon offense, \$2,500 and/or three years for a handgun offense, three to ten years for a second offense, and five to ten years for a subsequent offense.

Fiscal Summary

State Effect: Indeterminate general fund revenue decrease and expenditure increase as discussed below.

Local Effect: Indeterminate revenue increase and expenditure decrease.

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

Fiscal Analysis

State Revenues: The District Court generally hears less serious criminal cases. As the penalties for crimes are increased, there is the greater likelihood that the case would be transferred to the Prince George's County Circuit Court. Since the State receives all fines imposed in the District Court, transfer of cases to circuit courts may reduce general fund revenue by an indeterminate amount.

State Expenditures: Persons serving a sentence of one year or less are sentenced to the

Prince George's County Correctional Center. The State reimburses the county for part of the per diem rate after 90 days. If sentences of more than one year are imposed, State payments to Prince George's County may decrease. Per diem payments to Prince George's County are expected to be approximately \$33 in fiscal 1998.

Any savings in per diem costs would be offset by increased costs to the Division of Correction (DOC). 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 for a first offense, the average time served would increase from 18 months to 120 months (50% of the maximum sentence with the possibility of parole), or by 102 months. Thus State costs could increase by \$153,000 for each person imprisoned under the bill beginning in the second half of fiscal 1999.

Local Revenues: Revenues could increase by an indeterminate amount as more cases are heard in the Prince George's County Circuit Court and higher fines are imposed.

Per diem reimbursement payments from the Department of Public Safety and Correctional Services to the Prince George's County Correctional Center could decrease by an indeterminate amount as more violators are sentenced to DOC instead of the Correctional Center.

Local Expenditures: Expenditures could decrease by an indeterminate amount as it would be more likely that a violator would be sentenced to DOC instead of the Prince George's County Correctional Center. Prince George's County Correctional Center per diem costs are estimated at \$67 for fiscal 1998.

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

Fiscal Note History: First Reader - March 11, 1997
nrd

Analysis by: Guy G. Cherry
Reviewed by: John Rixey

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 841-3710
(301) 858-3710