

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 1169 (Delegate Klausmeier, *et al.*)
Judiciary

Graffiti - Punishments for Adults and Juveniles

This bill provides that an adult or juvenile convicted of an act of graffiti may be ordered to pay restitution and/or perform community service in addition to existing penalties.

Fiscal Summary

State Effect: None. Since it is assumed this bill would apply in a limited number of cases, State finances would not be affected.

Local Effect: None. (See below.)

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

Fiscal Analysis

Local Effect: A limited survey of local jurisdictions has produced a near consensus that this bill would not have a fiscal impact. Nevertheless, the Montgomery County Department of Corrections reports that the bill would create the need for two additional correctional specialists to fulfill the bill's requirements. The county estimates that these positions would cost an additional \$45,000 per year each, including salaries and fringe benefits. The department also advises that there is no additional space for these personnel.

The Department of Fiscal Services, however, advises that since the conviction rate for such offenses is low, existing local resources statewide should be sufficient to handle the bill's requirements.

Prince George's County notes that this bill could have the effect of encouraging the courts to impose stiffer penalties for graffiti, including more detention. Although such an eventuality could have an impact on incarceration costs for both local jurisdictions and the State, it is not possible to quantify that conjecture in terms of detention time or cost.

Small Business Effect: Graffiti is often done to properties owned and/or operated by small businesses. However, since the conviction rate for such offenses is low, it is expected that only minimal amounts of restitution or community service would be made under the provisions of the bill to benefit small businesses. It is noted that juvenile offenders convicted of this offense are already subject to pay restitution.

Information Source(s): Baltimore City, Allegany County, Montgomery County, Prince George's County, Talbot County, Department of Fiscal Services

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