

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 710 (Delegate Faulkner. *et al.*)

Judiciary

State's Attorneys - Plea Bargaining - Annual Report

This bill requires the State's Attorneys to monitor the use of plea bargaining in their respective counties. They are also required, by February 1 of each year, to submit an annual report to the Attorney General on the number of cases during the preceding calendar year that resulted in a plea bargain and the reason for each plea bargain. The report must be made available, in a specified manner, for review by any person via a request made to the Attorney General.

Fiscal Summary

State Effect: None.

Local Effect: Local expenditures could increase as discussed below. Revenues would not be affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Fiscal Analysis

State Expenditures: It is assumed that the Office of the Attorney General can handle the receipt of reports and requests to view reports with existing resources.

Local Expenditures: The Office of State's Attorneys' Coordinator reports that this bill and its reporting requirements for State's Attorneys would have a significant effect on local expenditures in every county. Since those offices do not now track plea bargains in a manner suitable to accommodating the bill's requirements, the coordinator believes that each county would have to hire at least one additional staff person to keep track of plea bargain agreements, the reasons for each agreement, and submit the required report to the Attorney

General.

The coordinator also advises that the State's Attorneys' offices in the jurisdictions with the most significant activity in this area (Baltimore City and Prince George's County) could need two to three new staff positions. Anne Arundel County and Montgomery County could require up to two new positions. Since the job description and salaries for these positions statewide could vary significantly, local costs cannot be reliably estimated at this time.

Although this bill imposes a mandate on local governments, data is not readily available at this time to determine the property tax equivalent for each county.

Information Source(s): Office of the Attorney General, Maryland State's Attorneys' Association, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 1998

Inc

Analysis by: Guy G. Cherry

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710