

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 941 (Delegates Palumbo and E. Burns)

Judiciary

Child Custody and Visitation - Child Abduction

This bill prohibits a relative who knows that another individual has lawful visitation rights with a child under the age of 16 from harboring or hiding the child with the intent of keeping the whereabouts of the child unknown to the individual with lawful visitation rights. A relative is also prohibited from acting as an accessory to the harboring or hiding of a child.

Notification of the whereabouts of a child to the individual with lawful visitation rights within 30 days is a complete defense to any action brought for child abduction. Current penalty provisions relating to child abduction and removing a child from the State remain the same.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures.

Local Effect: Potential minimal increase in revenues and expenditures.

Small Business Effect: None.

Fiscal Analysis

State Revenues: To the extent that the bill results in more convictions and fines in District Court cases, general fund revenues would increase. Any increase in convictions resulting from the bill is not expected to be large. Statistics regarding convictions for child abduction are not readily available.

State Expenditures: To the extent that the bill results in more convictions and jail sentences, general fund expenditures could increase due to more people being committed to a Division of Correction (DOC) facility and increased payments to counties for reimbursement

of inmate costs. Statistics regarding incarcerations for child abduction are not readily available.

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 1999 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 1999. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions. The per diem cost for BCDC for fiscal 1999 is estimated at \$43 per inmate.

Local Revenues: To the extent that the bill results in more convictions and fines in circuit court cases, local revenues would increase.

Local Expenditures: To the extent that the bill results in more convictions and jail sentences, local government expenditures could increase due to more people being committed to local detention facilities. 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 1999.

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

Fiscal Note History: First Reader - March 17, 1998

Inc

Analysis by: Claire E. Rooney

Reviewed by: John Rixey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 841-3710

(301) 858-3710