

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1121 (Delegate Genn. *et al.*)

Judiciary

Vehicle Laws - Penalties - Multiple Violations - Death

This bill provides that an individual who is convicted of specified traffic violations arising out of a single traffic accident that results in the death of another person is subject to a fine of up to \$5,000 or imprisonment of up to three years, or both, for each violation. The State's Attorney may not seek additional penalties unless a written notice of intent is served to the defendant at least 15 days before trial in a circuit court or five days before trial in the District Court.

Fiscal Summary

State Effect: Minimal increase in general fund revenues and expenditures due to the bill's penalty provision.

Local Effect: Minimal increase in revenues and expenditures due to the bill's penalty provision.

Small Business Effect: None.

Fiscal Analysis

State Revenues: It is unclear how many individuals that this bill would affect. As a point of reference, in 1997 there were 26 convictions of manslaughter by automobile. General fund revenues could increase under the bill's monetary penalty provision for those cases heard in the District Court, depending upon the number of convictions and fines imposed.

State Expenditures: General fund expenditures could increase as a result of the bill's incarceration penalty due to more people being committed to a Division of Correction (DOC) facility and increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed. Persons serving a sentence longer than one year are incarcerated in a DOC facility. In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500.

Persons serving a sentence of one year or less are sentenced to a local detention facility. The State reimburses counties for part of their 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 in fiscal 1999 is estimated at \$43 per inmate.]

Local Revenues: Revenues could increase under the bill's monetary penalty provision for those cases heard in the circuit courts, depending upon the number of convictions and fines imposed.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalty depending upon the number of convictions and sentences imposed. Counties pay the full cost of incarceration for people in their facilities 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 \$84 per inmate in fiscal 1999.

Information Source(s): Department of Transportation (Motor Vehicle Administration), Office of State's Attorney, Judiciary (The District Court, Administrative Office of the Courts), Department of Public Safety and Correctional Services (Division of Correction), Department of Legislative Services

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