

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 472 (Delegate Ports. *et al.*)

Judiciary

Controlled Dangerous Substances - Use of Minors - Life Without Parole

This bill increases the penalty for persons convicted of using a minor to commit certain controlled dangerous substance offenses to a mandatory sentence of life without the possibility of parole.

Fiscal Summary

State Effect: Indeterminate but potentially significant increase in general fund expenditures. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: General fund expenditures could increase as a result of the bill's longer incarceration penalty as people would be committed to Division of Correction (DOC) facilities for longer periods of time. Any increase would depend upon the number of convictions and sentences imposed.

Under current law, people convicted of using a minor for the manufacture, delivery, or distribution of a controlled dangerous substance are guilty of a felony and subject to imprisonment for up to 20 years and/or a fine of up to \$20,000. Information is not available on the number of people who have been convicted of this crime.

People serving a sentence longer than one year are incarcerated in a Division of Correction facility. In fiscal 1999 the average monthly cost per inmate is estimated at \$1,500. For illustrative purposes, under the bill's maximum incarceration penalty the average time served would be 540 months, as persons subject to a life sentence without parole are assumed to serve 45 years. Under current law the average time served would be 120 months. Thus State costs could increase by \$630,000 (420 months x \$1,500) for each person imprisoned under this bill beginning in fiscal 2008.

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

Fiscal Note History: First Reader - February 13, 1998

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