

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 863 (Delegate Vallario)

Judiciary

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**Firearms - Possession After Criminal Convictions**

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This bill increases criminal penalties for a person who is convicted of possessing a regulated firearm after having been previously convicted of a crime of violence or a felony. The bill provides that such a violation is a felony and subjects an offender to maximum penalties of 20 years imprisonment and/or a fine of \$20,000. Under current law, violators are guilty of a misdemeanor and subject to maximum penalties of five years imprisonment and/or a fine of \$10,000.

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**Fiscal Summary**

**State Effect:** Potential indeterminate increase in general fund expenditures due to increased incarceration penalties. Revenues would not be affected.

**Local Effect:** Potential indeterminate increase in revenues due to increased monetary penalties. Expenditures would not be affected.

**Small Business Effect:** None.

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**Fiscal Analysis**

**State Expenditures:** General fund expenditures could increase as a result of the bill's increased incarceration penalty due to people being committed to a Division of Correction (DOC) facility for longer periods of time.

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. For illustrative purposes, under the bill's increased maximum incarceration penalty the average time served would be 120 months, rather than 30 months. Thus State costs could increase by \$135,000 for each person imprisoned under the bill.

**Local Revenues:** Since these cases would continue to be heard in the circuit courts, revenues could increase under the bill's increased monetary penalty provision, depending upon the number of convictions and fines imposed.

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

**Fiscal Note History:** First Reader - March 11, 1998

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