

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

Senate Bill 583 (Senators Ruben and Forehand)

Judicial Proceedings

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**Fraud - Personal Identifying Information Theft**

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This bill makes it a crime to knowingly, willfully, and without authorization be involved in obtaining another person's "personal identifying information", and to sell, transfer, or use that information to procure credit, goods, or services in that other person's name without consent. Violators are guilty of a misdemeanor and subject to a fine of not less than \$1,000 and not more than \$10,000 and/or maximum imprisonment of one year.

The bill requires violators to make restitution to the victim for any costs, including attorney fees, incurred: (1) in clearing the victim's credit history or credit rating; or (2) in connection with a civil or administrative proceeding to satisfy an obligation that arose as a result of the defendant's actions. These provisions may not be construed to preclude the application of any other provision which applies to a transaction that violates these provisions.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

**Local Effect:** Potential minimal increase in revenues and expenditures due to the bill's penalty provisions.

**Small Business Effect:** None.

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## Fiscal Analysis

**State Revenues:** General fund revenues could increase under the bill's monetary penalty provisions 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 increased payments to counties for reimbursement of inmate costs, depending upon the number of convictions and sentences imposed.

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 Division of Correction (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 provisions 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 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.

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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 - February 19, 1998

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