

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 638 (Delegate Kelly)

Judiciary

Crime of Violence - Solicitation to Commit Murder

This bill makes the common law offense of solicitation to commit murder a crime of violence for purposes of sentencing and parole. Convictions for repeat offenses of solicitation to commit murder would subject persons to enhanced penalties including: (1) a minimum 10-year sentence for a second conviction of a crime of violence; (2) a mandatory minimum 25-year sentence if a person has been imprisoned for at least one of two separate convictions of a crime of violence; and (3) a mandatory life sentence without parole for a fourth conviction of a crime of violence. Conviction of this category of crime limits parole eligibility in a specified manner.

Fiscal Summary

State Effect: Potential minimal general fund expenditure increase. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: Over the past three years, nine persons have been convicted of solicitation to commit murder. Seven were placed on probation and two were incarcerated. The longest sentence meted out was 394 months (almost 33 years).

It is unknown whether any of these offenders had prior convictions of violent offenses. In any event, under these provisions probation for a first offender would be unlikely, and for a repeat offender impossible. Accordingly, under this bill general fund expenditures could increase by an indeterminate amount depending upon the number of convictions and sentences imposed. For fiscal 1999, the average monthly cost for inmates incarcerated by the Division of Correction is estimated at \$1,500.

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

Fiscal Note History: First Reader - March 6, 1998

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