

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1328 (Delegate Franchot)

Judiciary

Controlled Dangerous Substances - Drug Offenders - Fees

This bill requires a defendant who is convicted of or receives probation before judgment for a drug offense to pay a fee ranging from \$100 to \$4,000, depending on the offense. The fees are to be deposited into the general fund. A court may not waive a fee unless the court finds by clear and convincing evidence that a drug offender is not financially able to pay the fee.

The bill applies only to offenses committed on or after the bill's October 1, 1998 effective date.

Fiscal Summary

State Effect: Indeterminate increase in general fund revenues and expenditures.

Local Effect: Potential indeterminate increase in expenditures. No effect on revenues.

Small Business Effect: None.

Fiscal Analysis

State Effect: To the extent that people are convicted of and given probation before judgment for drug offenses, and pay the fees imposed on them pursuant to the bill, the bill would result in an increase in general fund revenues. The magnitude of such an increase cannot be reliably estimated at this time. Statistics regarding people convicted of or given probation before judgment for drug offenses are not readily available.

The State would incur costs, however, associated with the collection and recordation of the fees. Delinquent fee assessments turned over to the Central Collections Unit of the Department of Budget and Management have a collection cost of 2%. In addition,

modifications could be required to the District Court's automated criminal system, cash register, and courtroom systems. The specific amount of these costs cannot be reliably estimated at this time.

Local Expenditures: Local governments could incur record keeping costs associated with the imposition of the fees in circuit court cases, possibly including computer modifications. The specific amount of these costs cannot be reliably estimated at this time.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 18, 1998

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