

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 90 (Delegates Dembrow and Moe)

Judiciary

Crimes - Fraud - Personal Identity Theft

This bill prohibits a person from assuming another person's identity with the intent to: (1) fraudulently obtain credit, money, goods, or services; (2) fraudulently avoid debts or other legal obligations; or (3) avoid prosecution for a crime. Violators are guilty of a misdemeanor and subject to maximum penalties of a fine of \$10,000 and/or imprisonment for 1 year.

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.

Fiscal Analysis

State Revenues: General fund revenues could increase minimally under the bill's monetary penalty provision for those cases heard in the District Court.

State Expenditures: General fund expenditures could increase minimally as a result of the bill's incarceration penalty due to increased payments to counties for reimbursement of inmate costs and more people being committed to a Division of Correction (DOC) facility. The number of people convicted of this proposed crime is expected to be minimal. Persons serving a sentence of 1 year or less in a jurisdiction other than Baltimore City 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 2000 are estimated to range from \$8 to \$48 per inmate depending upon the jurisdiction. Persons

sentenced to such a term in Baltimore City are generally incarcerated in a DOC facility. Currently, the DOC average total cost per inmate is estimated at \$1,600 per month. However, if this legislation does not require new beds or additional facilities, the average variable cost of housing a new DOC inmate (food, medical care, etc. but not costs for additional personnel or building maintenance) is \$275 per month. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions.

Local Revenues: Revenues could increase minimally under the bill's monetary penalty provision for those cases heard in the circuit courts.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalty. 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 \$15 to \$80 per inmate in fiscal 2000.

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

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