

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 10 (Senator Green)

Judicial Proceedings

Crimes - Threats Against Local Officials and Law Enforcement Officers

This bill expands the definition of “local official” under a provision that prohibits threats against local government officials. Specifically, the bill adds “appointed officials” and local “law enforcement officers” to that definition. For an appointed official, this prohibition only applies during the course of performing official duties. Under current law, persons who make threats against local government officials are guilty of a misdemeanor and subject to imprisonment of up to three years and/or a fine of up to \$2,500.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues and expenditures due to the bill’s application of a current law penalty provision.

Local Effect: Potential minimal increase in revenues and expenditures due to the bill’s application of a current law penalty provision.

Small Business Effect: None.

Fiscal Analysis

State Revenues: General fund revenues could increase minimally under the applicable 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 more people being committed to a Division of Correction (DOC) facility and increased payments to counties for reimbursement of inmate costs. It is expected that this bill alone will not create the need for new beds or construction of a new prison facility.

Persons serving a sentence longer than one year are incarcerated in a DOC facility. Currently, the 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 inmate (food, medical care, etc. but not costs for additional personnel or building maintenance) is \$275 per month.

Persons serving a sentence of one 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. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions.

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

Local Expenditures: Expenditures could increase minimally as a result of the applicable incarceration penalty. Counties pay the full cost of incarceration for people in their facilities 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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