

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

Senate Bill 160 (Senator Stone)

Judicial Proceedings

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Assisted Suicide - Prohibition

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This bill provides that any person who assists another person's suicide or suicide attempt is guilty of a felony, and subject to a fine not exceeding \$10,000, or imprisonment not exceeding 3 years, or both. A person with standing may petition for injunctive relief against a person who is reasonably believed to be intending to assist in a suicide. A person with standing may also maintain a cause of action for compensatory and punitive damages against a person who assists in a suicide or attempts to do so. The licensing board that issued a license to a licensed health care professional who assists in a suicide may revoke or suspend the license of that person.

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Fiscal Summary

**State Effect:** Potential minimal increase in general fund expenditures due to the bill's penalty provisions. No effect on revenues.

**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 Expenditures:** General fund expenditures could increase minimally as a result of the bill's incarceration penalty due to more people being committed to Division of Correction (DOC) facilities and increased payments to counties for reimbursement of inmate costs. It is expected that the number of people convicted of this proposed crime would not be significant.

Persons serving a sentence longer than 1 year are incarcerated in a DOC facility. Currently, the average total cost per inmate, including overhead, is estimated at \$1,600 per month. It is not expected that this legislation will create the need for additional beds, personnel, or facilities, however. The average cost of housing a new DOC inmate, excluding overhead, (food, medical care, etc.) is approximately \$275 per month.

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 incarceration costs, on a per diem basis, 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.

**Local Revenues:** All criminal cases, and most or all civil cases brought pursuant to this bill would be filed in the circuit court. Circuit court revenues could increase minimally under the bill's monetary penalty provision.

**Local Expenditures:** The bill is not expected to materially increase court caseloads.

Expenditures could increase minimally as a result of the bill's 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.

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

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