

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE  
Revised

Senate Bill 111 (Senator Madden. *et al.*)

Judicial Proceedings

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**Crimes - Violent Crimes Against Elderly Persons - Enhanced Penalty**

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This bill augments the current law penalties for crimes of violence if committed against a person who is 65 years of age or older. Specifically, the bill authorizes a 50% increase in the maximum penalty for such a crime of violence (Article 27, §643B). An accused person must be notified at least 30 days before trial if the State intends to seek the enhanced penalty.

The bill's provisions are applied prospectively to convictions that occur on or after October 1, 1999.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund expenditures due to the bill's enhanced penalty provision.

**Local Effect:** Local revenues could increase minimally under the bill's enhanced penalty provision. The notification requirements under this bill can be handled with existing resources of State's Attorneys' offices.

**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 enhanced maximum incarceration penalty due to people being committed to a Division of Correction (DOC) facility for longer periods of time. It is expected that this bill alone will not create the need for new beds or construction of a new prison facility. (It should also be noted that offenders convicted of second and subsequent crimes of violence are subject to mandatory minimum sentences under current law.)

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.

**Local Revenues:** Cases of violent crimes tend to be heard in the circuit courts as felony trials. Any monetary penalty would also be subject to the enhancement provision of this bill. Accordingly, it is assumed that this bill could result in a minimal increase in fine revenues.

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**Information Source(s):** Department of State Police, Department of Public Safety and Correctional Services, Office of the Public Defender, Department of Legislative Services

**Fiscal Note History:** First Reader - January 29, 1999  
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