

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

House Bill 192 (The Speaker, *et al.*) (Administration)

Judiciary

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Crimes - Stalking - Increased Penalty

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This Administration bill increases the penalty for “stalking” when the victim is a law enforcement officer or a member of a law enforcement officer’s family. Violators are guilty of a felony and subject to maximum penalties of a fine of \$10,000 and/or imprisonment for ten years. Violators of the current law misdemeanor of “stalking” are subject to maximum penalties of a fine of \$5,000 and/or imprisonment for five years.

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Fiscal Summary

**State Effect:** Potential minimal increase in general fund expenditures due to the bill’s penalty provisions. Revenues would not be affected.

**Local Effect:** Potential increase in revenues due to the bill’s penalty provisions. Expenditures would not be affected.

**Small Business Effect:** A small business impact statement was not provided by the Administration in time for inclusion in this fiscal note. A revised fiscal note will be issued when the Administration’s assessment becomes available.

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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 people being committed to Division of Correction (DOC) facilities for longer periods of time. The number of people convicted of this proposed crime is expected to be minimal.

Persons serving a sentence longer than one year are incarcerated in DOC facilities. Currently, the average total cost per inmate, including overhead, is estimated at \$1,600 per

month. This bill alone, however, should not create the need for additional beds, personnel, or facilities. The average variable cost of housing a new DOC inmate (food, medical care, etc.), excluding overhead, is \$275 per month. For illustrative purposes, under the bill's maximum incarceration penalty the average time served would be 60 months for this felony offense rather than 30 months for the current law misdemeanor. Assuming the variable inmate costs of \$275 per month, State costs could increase by \$8,250 for each person imprisoned under the bill.

**Local Revenues:** Revenues could increase minimally as a result of the bill's monetary penalty provision because the circuit courts have jurisdiction over such felony cases.

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

**Fiscal Note History:** First Reader - February 25, 1999

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