

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 103 (Delegates Menes and Dembrow)

Judiciary

Crimes - Drug-Induced Conduct

This bill makes it a misdemeanor for a person to administer a controlled dangerous substance to another person without that person's knowledge and with the intent to commit a crime of violence or a third degree sexual offense against that person.

Violators are subject to maximum penalties of a fine of \$2,500 and/or imprisonment of 1 year, which may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation.

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.

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,
Department of Legislative Services

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dmm/jr

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