

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 633 (Delegate Montague)

Judiciary

Child Custody and Visitation - Child Abduction

This bill prohibits a relative who knows that another individual has lawful visitation rights with a child under the age of 16 from harboring or hiding the child with the intent of keeping the whereabouts of the child unknown to the individual with lawful visitation rights. A relative is also prohibited from acting as an accessory to the harboring or hiding of a child.

Notification of the whereabouts of a child to the individual with lawful visitation rights within 30 days is a complete defense to any action brought for child abduction. Current penalty provisions relating to child abduction and removing a child from the State remain the same.

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 as a result of the bill's

monetary penalty provisions from cases heard in the District Court. The bill is not expected to result in a significant number of additional convictions.

State Expenditures: General fund expenditures could increase minimally due to more people being committed to Division of Correction (DOC) facilities and increased payments to counties for reimbursement of inmate costs.

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 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. Currently, the DOC average total cost per inmate, including overhead, is estimated at \$1,600 per month. The average cost of housing a new DOC inmate, excluding overhead (food, medical care, etc.), is \$275 per month.

Local Revenues: The bill is not expected to materially increase court caseloads. Revenues could increase minimally under the bill's monetary penalty provisions from cases heard in the circuit courts.

Local Expenditures: Expenditures could increase minimally due to more people being committed to local detention facilities. 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 (Division of Correction), Department of Legislative Services

Fiscal Note History: First Reader - March 10, 1999

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