

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

Senate Bill 673 (Senator Jimeno)

Judicial Proceedings

Crimes - Illegal Possession of Regulated Firearms - Penalties

This bill makes it a felony for a person to possess a firearm after a conviction of a violent crime. The bill also increases the maximum penalties for this offense from a fine of \$10,000 and/or imprisonment for 5 years to a fine of \$20,000 and/or imprisonment for 10 years. Under current law, this offense is a misdemeanor.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to the bill's increased incarceration penalty provision. Potential decrease in general fund revenue to the extent that jurisdiction for these cases would shift from the District Court to the circuit courts.

Local Effect: Potential minimal increase in revenues due to the bill's increased monetary penalty provision and change in court jurisdiction.

Small Business Effect: None.

Fiscal Analysis

State Revenues: General fund revenues from monetary fines in the District Court could decrease minimally as a result of the bill's change in penalty provisions that makes these offenses felonies rather than misdemeanors.

State Expenditures: General fund expenditures could increase minimally as a result of the bill's increased incarceration penalty due to people being committed to Division of Correction (DOC) facilities for longer periods of time. The DOC does not have intake data

on the number of people currently incarcerated for this firearm possession offense wherein there has been a prior violent crime or felony conviction. However, since most firearm offenses, including possession, usually involve an incident with other more serious charges, it is assumed that the number of people convicted solely under this bill would 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.

Local Revenues: Revenues could increase minimally as a result of the bill's increased monetary penalty provision since, as felonies, these cases would be heard in the circuit courts.

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

Fiscal Note History: First Reader - March 12, 1999
Inc/jr Revised - Senate Third Reader - March 25, 1999

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