

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 36 (Delegate Arnick)

Judiciary

Handguns - Permits for Retired Law Enforcement Officers

This bill regulates the issue and renewal of handgun permits for retired law enforcement officers by: (1) specifying the qualifications to obtain the permit; (2) defining law enforcement officer to include those authorized by the federal government, another state, or the subdivision of another state to make arrests; (3) specifying restrictions on the permit; (4) authorizing an application fee to offset administrative costs; and (5) providing maximum criminal penalties of a \$1,000 fine and/or incarceration for 1 year for violating the provisions of the bill.

Fiscal Summary

State Effect: The bill could be implemented with existing resources. 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: Under current law and practice the State Police do not charge retired in-State law enforcement officers a handgun permit fee. Under this bill, the Department of State Police advises that such permits would be issued to all covered retired officers without an application fee. However, each retired officer would continue to be responsible for the cost of a criminal history record check. Because the State Police do not charge a retired officer the cost of fingerprint cards (\$10), the total maximum cost of each such criminal history record check is \$42, which includes State and national background checks. Assuming fewer than 10,000 new applicants, State expenditures would not be affected.

General fund revenues could increase minimally under the bill's monetary penalty provisions for those cases heard in the District Court.

State Expenditures: General fund expenditures could increase minimally as a result of the bill's incarceration penalties 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 provisions for those cases heard in the circuit courts.

Local Expenditures: Expenditures could increase as a result of the bill's incarceration penalties. 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 State Police, Department of Legislative Services

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lnc/jr

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