

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 207 (Senator Mooney)

Judicial Proceedings

Crimes - Use of a Handgun in Commission of a Crime - Penalties

This bill increases, from five years to ten years, the mandatory minimum penalty for a person who uses a handgun or antique firearm capable of being concealed on the person in the commission of any felony or crime of violence. The time before such an offender becomes eligible for parole is also increased from five years to ten years. The bill also increases, from five years to ten years, the mandatory minimum sentence that must be served consecutively for second or subsequent offenses.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to the bill's increased mandatory minimum penalty provisions. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Expenditures: General fund expenditures could increase minimally as a result of the bill's increased mandatory minimum incarceration penalties due to people being committed to Division of Correction (DOC) facilities for longer periods of time. In fiscal 1998 DOC received 631 offenders with a conviction of a variety of handgun violations. It is not known how many of them were subject to the current law mandatory minimum provisions.

This bill could, over time, result in a significant increase in the length of stay for particular inmates. However, since this offense is often connected with other more serious offenses (such as armed robbery), it is unlikely that this change will significantly increase average

daily populations in the State's prisons.

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.

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

Fiscal Note History: First Reader - March 14, 1999

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