

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE  
Revised

House Bill 278 (Delegate Goldwater, *et al.*)

Economic Matters

---

**Alcoholic Beverages - Interstate Shipment - Felony**

---

This bill makes it a felony for out-of-state sellers or distributors of alcoholic beverages to ship, cause to be shipped, or deliver alcoholic beverages to a person in this State. This prohibition includes alcoholic beverages that are ordered or purchased through a computer network. A violation is punishable by a fine of up to \$1,000 or imprisonment up to two years or both. Under current law, direct shipment of alcohol to consumers is a misdemeanor punishable by a fine of up to \$1,000 or imprisonment up to two years or both.

---

**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund expenditures due to the bill's penalty provision. Revenues would not be affected.

**Local Effect:** Potential minimal increase in revenues and expenditures due to the bill's penalty provision.

**Small Business Effect:** None.

---

**Fiscal Analysis**

**State Expenditures:** General fund expenditures could increase minimally as a result of the bill's incarceration penalty due to more people being committed to Division of Correction (DOC) facilities and increased payments to counties for reimbursement of inmate costs. The number of people convicted of this proposed crime is expected to 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.

Persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to local detention facilities. 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 DOC facilities. The Baltimore City Detention Center (BCDC), a State operated facility, is used primarily for pretrial detentions.

**Local Revenues:** Revenues could increase minimally as a result of the bill's monetary penalty provision. Since this new offense is a felony the circuit courts will have primary jurisdiction.

**Local Expenditures:** Expenditures could increase minimally as a result of the bill's incarceration penalty. Counties pay the full cost of incarceration for people in their facilities 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):** Comptroller's Office, Department of Legislative Services

**Fiscal Note History:** First Reader - February 25, 1999

dmm/jr Revised - House Third Reader - March 25, 1999

---

Analysis by: Thomas P. Hickey

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 946-5510

(301) 970-5510