

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

House Bill 180 (Delegates Menes and Grosfeld)

Judiciary

Crimes - Drug-Induced Conduct

This bill makes it a misdemeanor for a person to administer a controlled dangerous substance to another person without that person's knowledge and commit a crime of violence or a third degree sexual offense against that person.

Violators are subject to maximum penalties of a fine of \$2,500 and/or imprisonment of one year, which may be imposed separate from and consecutive to or concurrent with a sentence for any offense based on the act or acts establishing the violation.

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.

Analysis

Current Law: This specific prohibition does not exist as an offense under Maryland's criminal code.

State Revenues: General fund revenues could increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court.

State Expenditures: General fund expenditures could increase minimally as a result of the

bill's incarceration penalty due to 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 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 2001 are estimated to range from \$11 to \$54 per inmate depending upon the jurisdiction. Persons sentenced to such a term in Baltimore City are generally incarcerated in Division of Correction (DOC) facilities. The Baltimore City Detention Center, 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 from cases heard in the circuit courts.

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 2001.

Additional Information

Prior Introductions: Similar or identical bills were introduced in the House of Delegates in 1997 (HB 1312), 1998 (HB 136), and 1999 (HB 103). Also in 1999, SB 180 (a companion bill to HB 103) was introduced in the Senate. HB 103 of 1999 passed the House but received an unfavorable report from the Senate Judicial Proceedings Committee (as did SB 180); prior to 1999, the bills passed the House but no action was taken in the Senate.

Cross File: None.

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

Fiscal Note History:
nncsjr

First Reader - February 8, 2000
Revised - Enrolled Bill - April 25, 2000

Analysis by: Guy G. Cherry

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510