

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

Senate Bill 270 (Senator Munson)

Judicial Proceedings

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**Crimes - Threats Against State and Local Government Employees**

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This bill prohibits a person from knowingly and willfully making a threat to take the life of, kidnap, or inflict bodily harm on an employee of the State or a "local government unit" acting in an official capacity. Current law penalties applicable to the prohibition against making such threats against a State or local official are applied.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues and expenditures due to the bill's application of a current law penalty provision.

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

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under criminal code provisions relating to threats against State officials, a person is prohibited from knowingly and willfully making a threat to take the life of, kidnap, or inflict bodily harm upon a State or local official. State and local government employees are not covered under this prohibition. Violators are guilty of a misdemeanor and subject to maximum penalties of imprisonment for three years and/or a fine of \$2,500.

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

**State Expenditures:** General fund expenditures could increase minimally as a result of the applicable 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 \$1,700 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 \$260 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 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 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 applicable monetary penalty provision from cases heard in the circuit courts.

**Local Expenditures:** Expenditures could increase minimally as a result of the applicable 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 \$22 to \$83 per inmate in fiscal 2001.

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### **Additional Information**

**Prior Introductions:** A similar bill was introduced in 1999 (SB 177), which received an unfavorable report from the Judicial Proceedings Committee.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 16, 2000

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