

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 175 (Delegate Moe. *et al.*)

Judiciary

Prince George's County - Firearms Sales - Prohibited Areas
PG 319-00

This bill prohibits the sale, rental, transfer, or purchase of any regulated firearm within 1,000 feet of a child care center, elementary or secondary school, or place of worship. Violators who knowingly participate in such a transaction are guilty of a misdemeanor and subject to maximum penalties of a fine of \$10,000 and/or imprisonment for five years.

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: Minimal. It is not known how many, if any, licensed firearm dealers are small businesses and currently doing business within 1,000 feet of a child care center, school, or place of worship in Prince George's County. The number of such businesses is assumed to be small. However, this bill would require any such business to relocate or close, and would also limit the availability of sites for gun shows in the county.

Analysis

Current Law: The State's regulation of firearm transactions does not speak to where such dealings may or may not take place.

State Revenues: General fund revenues could increase minimally as a result of the bill's monetary penalty provisions 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 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 bill's monetary penalty provisions 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: During the last four sessions, bills were introduced to prohibit a person from carrying or possessing any firearm, knife, or deadly weapon of any kind in Prince George's County on a school vehicle or within 1,000 feet of real property used for elementary or secondary education. All the bills (HB 846 of 1999, HB 752 of 1998, HB 458 of 1997, and HB 882 of 1996) had no action taken on them after a hearing in the Judiciary Committee. Also in 1996, SB 129 had a substantially similar prohibition against carrying or possessing a deadly weapon on school vehicles or property, and would have applied statewide. This bill 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

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