

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 765 (Delegate Doorv. *et al.*)

Judiciary

Crimes - Firearms - Penalties

This bill makes felonies of specified current law misdemeanor crimes relating to the illegal sale, rental, transfer, purchase, straw purchase, possession, and receipt of regulated firearms and applications relating to regulated firearms. Current law maximum penalties are unchanged.

Fiscal Summary

State Effect: Potential minimal decrease in general fund revenues due to a change in court jurisdiction. Potential minimal increase in expenditures due to increased incarceration penalty provisions.

Local Effect: Potential minimal increase in revenues due to a change in court jurisdiction. Expenditures should not be affected.

Small Business Effect: None.

Analysis

Current Law: Crimes relating to the illegal sale, rental, transfer, purchase, straw purchase, possession, and receipt of regulated firearms and applications relating to regulated firearms are misdemeanors. The maximum penalties for these offenses range from fines of \$5,000 to \$25,000 and/or imprisonment for three to ten years.

State Revenues: Since felonies are generally not heard in the District Court, general fund revenues could decrease as a result of the applicable fines not being collected.

State Expenditures: Changing crimes from misdemeanors to felonies means that: (1) such cases will be filed in the circuit courts rather than the District Court; and (2) some persons could eventually serve longer incarcerations due to enhanced penalty provisions, applicable to some offenses, for prior felony convictions. However, without knowing whether the prospect of a jury trial might spur more plea bargains and affect actual sentencing practices for the current law misdemeanors, and unless there is a major change in sentencing patterns, expenditures relating to incarceration should not be materially affected.

Local Revenues: By changing these crimes from misdemeanors to felonies, cases that could have been filed in the District Court will be filed solely in the circuit courts. The number of cases is assumed to be small. Accordingly, this bill should not significantly increase local revenues resulting from the applicable monetary provisions.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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