

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE

House Bill 1089 (Delegates K. Kelly and Boschert)

Judiciary

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**Crimes - Railroad Property - Unauthorized Entry**

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This bill prohibits a person, without authorization or consent of the property owner, from knowingly entering or remaining on railroad property by engaging in certain delineated pursuits or activities such as jogging and biking. The bill exempts crossing such property at a public highway or other authorized crossing. Violators are guilty of a misdemeanor and subject to maximum penalties of a fine of \$100 and/or imprisonment for 30 days.

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**Fiscal Summary**

**State Effect:** Potential minimal increase in general fund revenues due to the bill's monetary penalty provision.

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

**Small Business Effect:** None.

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**Analysis**

**Current Law:** None specifically applicable. However, the State has several prohibitions applicable to railroads, including a prohibition against "unauthorized access to a railroad vehicle," which subjects violators to maximum misdemeanor penalties of a fine of \$25 and/or imprisonment for 30 days.

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

**Local Expenditures:** Expenditures could increase as a result of the bill's incarceration penalty because convicted persons under this bill's provisions would serve such a sentence at a local detention facility. Counties pay the full cost of incarceration for the first 90 days of a sentence. 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:** None.

**Cross File:** None.

**Information Source(s):** Department of Legislative Services

**Fiscal Note History:** First Reader - March 5, 2000  
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