

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 619 (Senator Sfikas)

Judicial Proceedings

Handguns - Use in the Commission of a Felony or Crime of Violence - Mandatory Sentence

This bill makes a person ineligible for parole for at least five years if convicted for a subsequent time of using a handgun in the commission of a felony or crime of violence.

Fiscal Summary

State Effect: Minimal. Even though the current statute is silent as to parole eligibility for such subsequent offenders, there is no absolute right to parole under Maryland law. There are few, if any, persons currently being granted parole by the Maryland Parole Commission for such subsequent offenses. Accordingly, this bill should not increase the length of incarceration for most offenders, and thus would not affect incarceration expenditures. However, to the extent that an individual instance of sentencing could be affected, State costs could minimally increase.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Persons convicted of using a handgun or certain antique firearms in the commission of any felony or crime of violence are guilty of a separate misdemeanor and are subject to a mandatory minimum non-parolable sentence of five years and a maximum sentence of 20 years. Subsequent offenders are subject to a mandatory minimum sentence of five years, which must be served consecutively to the sentence for the underlying felony or misdemeanor offense, and a maximum sentence of 20 years. The statute is silent as to parole

eligibility for subsequent offenders.

Additional Information

Prior Introductions: A similar bill (SB 21) was introduced during the 1997 session and received an unfavorable report by the Senate Judicial Proceedings Committee.

Cross File: None.

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

Fiscal Note History: First Reader - March 10, 2000
drg/jr

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