

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 192 (Delegate Petzold, *et al.*)
Judiciary

Judicial Proceedings

Crimes - Drugs - 3, 4-Methylenedioxymethamphetamine (MDMA) - Penalties

This bill adds the manufacture, distribution, dispensation, or possession of 750 grams of the drug “3, 4-methylenedioxymethamphetamine” (MDMA), commonly known as “ecstasy,” to the list of offenses for which violators are subject to maximum felony penalties of a fine of \$20,000 and/or imprisonment for 20 years.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to the bill’s incarceration penalty provision. Revenues would not be affected.

Local Effect: Potential increase in revenues as a result of the bill’s monetary penalty provision since these cases would be heard in the circuit courts. Expenditures would not be affected.

Small Business Effect: None.

Analysis

Current Law: A person convicted of the manufacture, distribution, or possession of the following controlled dangerous substances are subject to maximum penalties of a fine of \$20,000 and/or imprisonment for 20 years: phencyclidine, 1-(1-phenylcyclohexyl)piperidine, 1-phenylcyclohexylamine, or 1-piperidinocyclohexanecarbonitrile, classified in Schedule II, or n-ethyl-1-phenylcyclohexylamine, 1-(1-phenylcyclohexyl)-pyrrolidine, 1-(1-(2-thienyl)-cyclohexyl)-piperidine, or lysergic acid diethylamide, classified in Schedule I.

Background: According to the National Institute of Drug Abuse, MDMA is a “club drug” and works as a stimulant similar to methamphetamine. It is taken orally in tablet form, and causes dehydration as well as increases in heart rate and blood pressure. Ingestion may lead to an elevation of body temperature that causes kidney and cardiovascular failure. When combined with alcohol, MDMA use has been reported as having had fatal results. It is also believed that chronic abuse may produce long-lasting neurotoxic effects on the brain.

State Expenditures: General fund expenditures could increase minimally as a result of the bill’s incarceration penalty due to more people being committed to DOC facilities. The number of people convicted of MDMA manufacture, distribution, or possession is expected to be relatively 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 \$288 per month.

Local Revenues: Revenues could increase as a result of the bill’s monetary penalty provision.

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

Fiscal Note History: First Reader – January 29, 2001
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