

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 562 (Delegate Marriott, *et al.*)
Judiciary

Judicial Sentencing Restoration Act - Nonviolent Drug Offenses

This bill repeals specified penalty provisions which provide for, or reference, mandatory minimum sentences for certain drug-related offenses, including such sentences as they are applied to second and subsequent drug-related offenses.

The bill's provisions are required to be applied prospectively only.

Fiscal Summary

State Effect: Potential meaningful decrease in general fund expenditures due to the bill's elimination of some mandatory minimum sentencing provisions. Revenues would not be affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Mandatory minimum sentences for drug-related offenses covered under this bill range from two years to 25 years.

State Expenditures: General fund expenditures could decrease as a result of the bill's repeal of certain mandatory minimum sentencing provisions due to some people being committed to Division of Correction (DOC) facilities for shorter periods of time. The

actual number of convicted persons (prospectively) this may affect, or the effect on their actual sentences served, is unknown.

Persons serving a sentence longer than one year are incarcerated in DOC facilities. Excluding overhead, the average cost of housing a new DOC inmate (including medical care and variable costs) is \$288 per month. Accordingly, this bill could allow for a cost savings of approximately \$3,456 per year per inmate, but only to the extent that fewer mandatory minimum sentences imposed would result in less time served by any given inmate convicted of these drug-related offenses.

In fiscal 2000, there were 99 persons serving mandatory sentences for unspecified drug-related offenses. For illustrative purposes only, if this bill resulted in a one-year reduction of actual time served for all such inmates, an eventual savings of \$342,144 would accrue for DOC.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services (Division of Correction), Office of the Public Defender, Office of State's Attorneys' Coordinator, Department of Legislative Services

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ef/jr

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