

Department of Legislative Services  
Maryland General Assembly  
2001 Session

FISCAL NOTE

House Bill 964 (Delegate Redmer, *et al.*)  
Judiciary

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**Controlled Dangerous Substances - Use of Minors - Life Without Parole**

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This bill provides that the sentence for a person convicted of using a minor to manufacture, distribute, or deliver a controlled dangerous substance is life without the possibility of parole.

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**Fiscal Summary**

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

**Local Effect:** Potential minimal decrease in revenues due to the bill's elimination of an existing monetary penalty provision. Expenditures would not be affected.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Persons convicted of using a minor for the manufacture, delivery, or distribution of a controlled dangerous substance are guilty of a felony and subject to maximum penalties of imprisonment for 20 years and/or a fine of \$20,000.

**State Expenditures:** General fund expenditures could increase minimally as a result of the bill's increased incarceration penalty due to people being committed to Division of Correction (DOC) facilities for longer periods of time. Data is not available on the number of persons convicted of this offense. The number of people sentenced under this bill is expected to be 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. Excluding overhead, the average cost of housing a new DOC inmate (including medical care and variable costs) is \$288 per month. For illustrative purposes, under the bill's incarceration penalty the average time served for life without parole would be 540 months. Persons serving the current law maximum term for this offense would tend to serve about 120 months. Assuming medical care and variable inmate costs of \$288 per month, State costs could increase by \$120,960 (unadjusted for inflation) for each person imprisoned under these provisions.

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### **Additional Information**

**Prior Introductions:** A similar bill, HB 333, was introduced during the 1997 session and received an unfavorable report from the House Judiciary Committee.

**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 – February 20, 2001  
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