

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 697

(Senator Astle)

Judicial Proceedings

**Drug Crimes Committed in the City of Annapolis - Mandated Drug Treatment
or Education Program for Convicted Persons**

This bill provides that persons who have been convicted of a violation that occurs in the City of Annapolis involving the possession of a controlled dangerous substance must, in addition to any other penalties, participate in a drug treatment or education program that is approved by the Department of Health and Mental Hygiene (DHMH).

Fiscal Summary

State Effect: General fund expenditures could increase from the drug treatment provision if State-funded drug treatment programs are expanded to specifically serve this population. No effect on revenues.

Local Effect: None.

Small Business Effect: Minimal. Any drug treatment or education programs in the Annapolis area that are small businesses would benefit from the bill due to an increased demand for their services.

Analysis

Current Law: If a person is convicted of a crime involving the possession of a controlled dangerous substance and is placed on probation, the court must require, as a condition of the suspension of sentence, that the person participate in a drug treatment or education program approved by DHMH unless the court finds and affirmatively states on

the record that the interests of the person and the State do not require the imposition of this condition.

Background: According to DHMH, the only DHMH-approved drug treatment or education programs are: (i) State certified treatment programs; and (ii) DUI/DWI education programs. Judges currently have the option of requiring those convicted for crimes involving possession of a controlled dangerous substance to attend treatment programs (DUI/DWI education programs address different issues). Depending on an individual's financial circumstances, the individual either pays for the cost of the program, or attempts to receive State-funded treatment.

The number of individuals convicted of crimes involving possession of a controlled substance in the City of Annapolis is not readily available. However, it is known that 312 individuals were charged with such crimes in 2000. Consequently, the number of convictions would have been something less than 312.

State Expenditures: Any court ordered drug and alcohol treatment evaluations would be conducted by the county health department and could be handled with existing resources. However, the bill does not specify which entity is responsible for funding any treatment that may be ordered. DHMH pays for most drug treatment, but other State agencies that could provide substance abuse treatment to this population include the Department of Juvenile Justice, the Division of Correction, and the Division of Parole and Probation. The number of State-funded treatment slots, however, is limited. Consequently, even if this bill leads to an increase in the number of individuals demanding treatment, there would be no impact on State expenditures unless treatment capacity is expanded to specifically serve these individuals.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, City of Annapolis, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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