

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 1208 (Prince George's County Delegation)
Judiciary

Prince George's County - Weapons-Free School Zone
PG 315-01

This bill increases the penalty for carrying a deadly weapon on school property and expands the definition of school property in Prince George's County. The bill makes the maximum penalties a \$10,000 fine and/or ten years imprisonment for a first offense and \$30,000 and/or 15 years for a subsequent offense.

Fiscal Summary

State Effect: General fund revenue decrease and expenditure increase due to the bill's increased penalty provisions.

Local Effect: Revenue increase and expenditure decrease due to the bill's increased penalty provisions.

Small Business Effect: None.

Analysis

Current Law: The maximum penalties are: \$1,000 or three years for a deadly weapon offense; \$2,500 and/or three years for a handgun offense; three to ten years for a second offense; and five to ten years for a subsequent offense.

State Revenues: The District Court generally hears less serious criminal cases. As the penalties for crimes are increased, there is the greater likelihood that the case would be transferred to the Prince George's County Circuit Court. Since the State receives all fines

imposed in the District Court, transfer of cases to circuit courts may reduce general fund revenue by an indeterminate amount.

State Expenditures: Persons serving a sentence of one year or less are sentenced to the Prince George's County Correctional Center. The State reimburses the county for part of the per diem rate after 90 days. If sentences of more than one year are imposed, State payments to Prince George's County may decrease. Per diem payments to Prince George's County are expected to be approximately \$28 in fiscal 2002. The number of people convicted of this crime is expected to be minimal.

Any savings in per diem costs would be offset by increased costs to the Division of Correction (DOC). 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 maximum incarceration penalty for a first offense, the average time served would increase from 18 months to 120 months, or by 102 months. Assuming the medical and variable inmate costs of \$288 per month, State costs could increase by \$29,376 for each person imprisoned under the bill.

Local Revenues: Revenues could increase by an indeterminate amount as more cases are heard in the Prince George's County Circuit Court and higher fines are imposed.

Per diem reimbursement payments from the Department of Public Safety and Correctional Services to the Prince George's County Correctional Center could decrease by an indeterminate amount as more violators are sentenced to DOC instead of the county correctional center.

Local Expenditures: Expenditures could decrease by an indeterminate amount, as it would be more likely that a violator would be sentenced to DOC instead of the Prince George's County Correctional Center. Prince George's County Correctional Center per diem costs are estimated at \$56 for fiscal 2002.

Additional Information

Prior Introductions: An identical bill, HB 1028, was introduced in the 2000 session but was withdrawn without a hearing by the House Judiciary Committee. A similar bill was introduced in the 1999 session as HB 846 but was not reported out of the House Judiciary Committee.

Cross File: None.

Information Source(s): Department of Legislative Services

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jm/jr

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