

Department of Legislative Services
Maryland General Assembly
 2002 Session

FISCAL NOTE

Senate Bill 347 (Senator Van Hollen)
 Judicial Proceedings

Criminal Sentencing - Annual Reporting by State Commission on Criminal Sentencing Policy - Crimes of Violence

This bill requires the State Commission on Criminal Sentencing Policy to annually report to the General Assembly on each circuit court judge’s compliance with the sentencing guidelines for convictions of crimes of violence. This information is required to be a part of an existing annual report produced by the commission on State sentencing policies and practices.

Fiscal Summary

State Effect: General fund expenditure increase of \$7,300 in FY 2003 for the State Commission on Criminal Sentencing Policy, which reflects the bill’s October 1, 2002 effective date. Future year costs reflect annualization and inflation.

(in dollars)	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	7,300	9,800	9,900	10,000	10,100
Net Effect	(\$7,300)	(\$9,800)	(\$9,900)	(\$10,000)	(\$10,100)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Commission on Criminal Sentencing Policy is required to annually review sentencing policy and practice generally and, by December 1 of each year, report to the General Assembly on any changes made to the sentencing guidelines during the previous year. The commission also is required to report judicial compliance with the sentencing guidelines, listed by crime and by judicial circuit. The commission does not currently document sentencing guideline compliance data by judge.

State law defines a crime of violence as:

- abduction;
- first degree arson;
- kidnapping;
- manslaughter (except involuntary manslaughter);
- mayhem;
- maiming;
- murder;
- rape;
- robbery or robbery with a dangerous weapon;
- carjacking or armed carjacking;
- first or second degree sexual offense;
- use of a handgun in the commission of a felony or crime of violence;
- an attempt to commit any of the above crimes; and
- first degree assault or assault with intent to murder, rape, rob, or commit a first or second degree sexual offense.

State Expenditures: This bill's provisions would add approximately 290 pages to the commission's annual report, assuming the reporting requirements would take 2 pages per each of the 145 judges. The commission advises that printing costs for its 2001 report were \$.06 per page, and that it printed 500 copies of its annual report in 1999, 2000, and 2001 for all members of the General Assembly, circuit court judges, other State sentencing commissions, and relevant State practitioners and policy makers. Five-hundred reports consisting of 290 pages each at \$.06 per page costs an estimated \$8,700.

Postal rates for bound printed matter are based on weight and destination. The U.S. Postal Service estimates that 6 pages weigh about 1 ounce; thus, 290 pages weigh slightly over 3 pounds. Assuming most of the reports will be sent to local destinations, each will cost \$1.99 to send via U.S. mail for a total cost of about \$995.

The total annual cost would therefore be about \$9,695 (\$8,700 + \$995). Accordingly, general fund expenditures could increase by an estimated \$7,271 in fiscal 2003, which accounts for the bill's October 1, 2002 effective date. Future year expenditures reflect annualization and 1% increases to account for inflation.

Additional Information

Prior Introductions: SB 633 of 2001 received an unfavorable report from the Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Commission on Criminal Sentencing Policy, Department of Legislative Services

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