

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 754

(Senator Colburn)

Judicial Proceedings

**Crimes - Assault with an Object that Reasonably Appears or is Represented to
be a Firearm**

This bill prohibits a person from committing an assault with an object that reasonably appears or is represented to be a firearm. A violator is guilty of the felony of first degree assault and subject to a maximum imprisonment of 25 years.

Fiscal Summary

State Effect: Potential minimal increase in general fund expenditures due to applicable current law incarceration penalty provisions.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: First degree assault is limited to intentionally causing or attempting to cause serious physical injury to another, or committing an assault with a firearm. Violators are guilty of a felony and subject to a maximum penalty of 25 years imprisonment. An assault on any person that does not involve causing or attempting to cause serious physical injury or the use of a firearm is assault in the second degree. Violators are guilty of a misdemeanor and subject to maximum penalties of a fine of \$2,500 and/or imprisonment for ten years.

State Expenditures: General fund expenditures could increase minimally as a result of the applicable incarceration penalty due to more people being committed to Division of Correction (DOC) facilities. The number of people convicted of this proposed crime is expected to be minimal.

Persons serving a sentence longer than 18 months are incarcerated in DOC facilities. Currently, the average total cost per inmate, including overhead, is estimated at \$1,850 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 \$350 per month. Excluding medical care, the average variable costs total \$120 per month.

Additional Information

Prior Introductions: None.

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 - March 17, 2003
ncs/cer

Analysis by: Guy G. Cherry

Direct Inquiries to:
(410) 946-5510
(301) 970-5510