

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

Revised

Senate Bill 965

(Senator Haines)

Education, Health, and Environmental Affairs

Judiciary

Department of Natural Resources - Vessels - Reckless Operation - Subsequent Offenders

This bill enhances the criminal penalty provision applicable to a second or subsequent conviction for a violation of specified prohibitions regarding operating a vessel recklessly or in a manner that may endanger a person or property. For a first conviction, the misdemeanor penalty would still be a fine between \$25 and \$200 or imprisonment for up to 30 days, or both. For a second or subsequent conviction, the misdemeanor penalty would be a fine of up to \$500 or imprisonment for up to 60 days, or both.

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues due to the bill's enhanced monetary penalty provisions.

Local Effect: Potential minimal increase in revenues and expenditures due to the bill's enhanced penalty provisions.

Small Business Effect: None.

Analysis

Current Law: A person may not operate a vessel recklessly or in a manner that may endanger another or the property of another on a bay, creek, lake, river, or stream in the State. A person may not come into a wharf or bathing shore recklessly or in a manner that may endanger a person or property. A person who violates these prohibitions is

guilty of a misdemeanor and on conviction is subject to a fine of between \$25 and \$200 or imprisonment for up to 30 days, or both.

State Revenues: General fund revenues could increase minimally as a result of the bill's enhanced monetary penalty provisions from cases heard in the District Court.

Local Revenues: Revenues could increase minimally as a result of the bill's enhanced monetary penalty provisions from cases heard in the circuit courts.

Local Expenditures: Expenditures could increase minimally as a result of the bill's enhanced incarceration penalties. Counties pay the full cost of incarceration for people in their facilities for the first 90 days of the sentence, plus part of the per diem cost after 90 days. Per diem operating costs of local detention facilities are expected to range from \$33 to \$119 per inmate in fiscal 2007.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Public Safety and Correctional Services, Department of Natural Resources, Department of Legislative Services

Fiscal Note History: First Reader - March 14, 2006
mll/ljm Revised - Senate Third Reader - March 28, 2006
Revised - Enrolled Bill - April 25, 2006

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