

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE
 (Senator Conway, *et al.*)

Senate Bill 878
 Judicial Proceedings

Crime Stoppers Trust Fund

This bill establishes the Crime Stoppers Trust Fund (CSTF). The purpose of the fund is to provide funding for “crime stopper programs,” defined in the bill as the incorporated crime stoppers, crime solvers, and other similar incorporated tips programs that work to reduce crime in the State. The bill includes provisions for funding and distribution of funds.

Fiscal Summary

State Effect: Assuming the fee is assessed and collected, special fund revenues could increase by \$2.5 million in FY 2007, accounting for the bill’s effective date. General fund administrative expenditures could increase by \$48,100 in FY 2007. Future year estimates reflect annualization and inflation.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
SF Revenue	\$2,500,000	\$3,300,000	\$3,300,000	\$3,300,000	\$3,300,000
GF Expenditure	48,100	58,800	62,200	65,900	69,900
Net Effect	\$2,451,900	\$3,241,200	\$3,237,800	\$3,234,100	\$3,230,100

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

Local Effect: Local revenues would increase to the extent clerks of circuit courts collect the \$3 fee they are authorized to collect from each defendant convicted of a crime under this bill. The amount of the revenue increase depends on the number of defendants convicted of crimes in circuit courts each year.

Small Business Effect: None.

Analysis

Bill Summary: The bill's key provisions are described below.

- *Source of CSTF Funding:* The bill increases the additional court cost a circuit court is required to impose on a defendant convicted of a crime from \$45 to \$65. The bill also increases the additional cost in the District Court from \$35 to \$55. Both of these fees will continue to be assessed per case.

The bill adds the following provisions to the current distribution scheme of these additional court costs: (1) the Comptroller must deposit \$17 from each fee collected into the fund; and (2) the clerk of the court that collects the fee may retain \$3 from each fee.

In addition to revenues from these costs, CSTF includes investment earnings and money from any other source accepted for the benefit of the fund.

- *Administration of CSTF:* The Department of Public Safety and Correctional Services (DPSCS) must: (1) administer the fund; (2) apply for appropriate grants to fund crime stopper programs; (3) deposit revenues from the grants into the fund; and (4) deposit revenue from the additional court costs collected into separate accounts designated according to the judicial circuit in which the costs were collected.
- *Awarding of Funds:* Any county may apply to DPSCS for a grant from funds collected from additional court costs in the judicial circuit in which the county is located. Grants may only: (1) be awarded to a county served by an official member of the Maryland Crime Stoppers; and (2) be used to support crime stopper programs. If more than one county within a judicial circuit is eligible for funds, DPSCS must distribute the funds in an equitable manner based on the amount of revenue collected within each county. Within a county, only one official member of the Maryland Crime Stoppers is eligible to receive a grant from the fund.

Money expended from the fund for crime stopper programs is supplemental and is not intended to replace funding that otherwise would be appropriated for the programs.

- *Regulations:* DPSCS must adopt and enforce regulations to carry out the provisions of the bill, including regulations pertaining to: (1) eligibility criteria and equitable distribution of funds; (2) return of unused funds; and (3)

coordination between DPSCS and government agencies to support and enhance efforts to train the public in crime prevention methods and personal safety principles.

Current Law: Current law does not contain any provisions for a CSTF. However, statutory provisions exist for crime prevention program proposals by nonprofit organizations under the Neighborhood and Community Assistance Program.

Current law requires circuit courts to impose additional court costs of \$45 per case on criminal defendants convicted of a crime. The District Court imposes additional costs of \$35 per case on criminal defendants convicted of a crime. The additional costs are deposited into various funds, including the State Victims of Crime Fund, the Victim and Witness Protection and Relocation Fund, and the Criminal Injuries Compensation Fund (CICF).

Background: According to the Southeastern Crime Stoppers Association, Maryland has the following crime stopper programs: (1) Metro Crime Stoppers (Baltimore City and Anne Arundel, Baltimore, Harford and Howard counties); (2) Montgomery County Crime Stoppers; and (3) Prince George's County Crime Stoppers.

Florida adopted similar legislation in 1998.

State Revenues: CSTF special fund revenues could increase by at least \$2.5 million in fiscal 2007 under this bill, accounting for the bill's October 1, 2006 effective date. Under current statutory provisions, \$20 from the imposed additional court costs mentioned above is deposited into the CICF. This bill would deposit \$17 from the imposed additional court costs mentioned above into the CSTF. It is assumed that revenue generated by this bill for the CSTF will be generally equal to CICF revenue. In fiscal 2005, CICF revenue was approximately \$3.9 million. Adjusting for the \$3 difference between the CICF allotment and CSTF, special fund revenues for the CSTF could increase by as much as \$3.3 million annually. The exact amount of the increase depends on the number of persons convicted in circuit courts and the District Court per year.

State Expenditures: General fund expenditures could increase by an estimated \$48,111 in fiscal 2007, which accounts for the bill's October 1, 2006 effective date. This estimate reflects the cost of hiring one DPSCS program administrator to develop procedures for the administration of the program, award grants, and coordinate efforts between the program and government agencies. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	1
Salary and Fringe Benefits	\$42,646
Operating Expenses	<u>5,465</u>
Total FY 2007 State Expenditures	\$48,111

Future year expenditures reflect: (1) a full salary with 4.6% annual increases and 3% employee turnover; and (2) 1% annual increases in ongoing operating expenses.

Additional Comments: The bill refers to crime stopper programs and official members of the Maryland Crime Stoppers. While “crime stopper programs” is defined in the bill, “Maryland Crime Stoppers” is not. Also, the bill does not mention what qualifies an entity to become an official member of the Maryland Crime Stoppers.

Additional Information

Prior Introductions: None.

Cross File: HB 895 (Delegate Goodwin) – Judiciary.

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

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