

Department of Legislative Services
 Maryland General Assembly
 2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 327 (Senator Simonaire)

Judicial Proceedings and Education, Health,
 and Environmental Affairs

**Natural Resources Police - Conditions of Sentencing, Probation, Parole, or
 Mandatory Release Supervision - Database**

This bill requires that the Maryland Judiciary notify the Department of Natural Resources (DNR) of any person who is subject to a condition of sentencing or probation that specifically prohibits the person from engaging in any identified activity on the waters of the State or any recreational or commercial hunting or fishing activity. The Department of Public Safety and Correctional Services (DPSCS) also must notify DNR of any person subject to any terms or conditions of the same type, with respect to parole or mandatory release supervision. DNR must establish and maintain an up-to-date database of the persons reported to the department by the Maryland Judiciary and DPSCS and ensure that it is immediately available to Natural Resources Police (NRP) officers.

Fiscal Summary

State Effect: General fund expenditures increase by \$102,800 in FY 2017 only, for computer programming changes by the Judiciary and DPSCS. Revenues are not affected.

(in dollars)	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	102,800	0	0	0	0
Net Effect	(\$102,800)	\$0	\$0	\$0	\$0

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

Local Effect: None

Small Business Effect: None.

Analysis

Current Law/Background: NRP, within DNR, has statewide authority to enforce conservation, boating, and criminal laws. NRP's responsibilities include (1) providing maritime and rural search and rescue services; (2) providing public education in hunting, boating, and water safety; (3) providing primary law enforcement services for State parks, State forests, wildlife management areas, and public lands owned and managed by the department; and (4) serving as the lead agency for maritime homeland security on State waterways.

Courts have specified authority to impose conditions in connection with sentencing or probation. Parole entitles a recipient to leave the correctional facility in which the recipient was confined and, if the recipient complies with the terms and conditions in the parole order, to serve the remainder of the recipient's term of confinement outside the confines of the correctional facility. Similarly, an individual on mandatory supervision remains in legal custody until the expiration of the individual's full term and is subject to all laws, rules, regulations, and conditions that apply to parolees and any special conditions established by a member of the Maryland Parole Commission.

State Expenditures: General fund expenditures increase by \$102,810 in fiscal 2017 only for computer programming changes by the Judiciary (\$90,810) and DPSCS (\$12,000) to be able to identify, in their database systems, persons that are subject to the specified conditions of sentencing or probation, or terms or conditions of parole or mandatory release supervision. It is assumed that DNR is able to input that information into its existing database system, COMPASS, which is available to NRP officers, with existing resources.

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 Legislative Services

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min/lgc

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