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**A G E N D A   I T E M   S U M M A R Y**

**Reference No:** CB-114-1991

**Draft No:** 2

**P r i n c e   G e o r g e ' s**

**Meeting Date:** 11/26/91

**C o u n t y   C o u n c i l**

**Requester:** D

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**Item Title:** To provide that inmates sentenced to incarceration for 48 hrs. or less per week shall pay cost of incarceration and that inmates sentenced to home detention shall pay a fee

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**Sponsors** D   CA   M   C   P   WI   B   F

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**Date Presented**      10/22/91                                **Executive Action**      12/11/91      S

**Committee Referral** (1) 10/22/91      FP&GO      **Effective Date**      1/27/92

**Committee Action**      (1) 10/30/91      FAV(A)

**Date Introduced**      11/5/91

**Pub. Hearing Date**      (1) 11/26/91 2:00      PM

**Council Action**      (1) 11/26/91      Enacted

**Council Votes**      CA: A\_, B\_: A\_, C\_: A\_, D\_: A\_, F\_: A\_, MC: A\_,  
M\_: A\_, P\_: A\_, WI: A\_, \_\_\_: \_\_\_, \_\_\_: \_\_\_, \_\_\_: \_\_\_

**Pass/Fail**      P

**Remarks** \_\_\_\_\_

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**Drafter:**      Ralph E. Grutzmacher  
                    Legislative Officer

**Resource Personnel:**      Al Hall, Department  
   of Corrections

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**LEGISLATIVE HISTORY**

FISCAL POLICY & GOVERNMENT OPERATIONS  
COMMITTEE REPORT

Date: October 30, 1991

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Wineland, Del Giudice, Fletcher, MacKinnon, and Mills)

The Office of Management and Budget stated that the cost of incarceration is defined as the per diem reimbursement rate paid by the State of Maryland. The current rate is \$44. This would make the maximum annual cost reimbursement to the County approximately \$54,000. However, persons whose household income falls below the median household income for Prince George's County would only pay a proportioned share of the costs of incarceration. If, for example, we assume that the average household income of a weekend inmate is 70 percent of the County's median household income, the potential cost

reimbursement to the County would decrease from \$54,900 to \$38,400. Persons sentenced under the Home Detention Program must pay a fee equal to one hour of their wages for each day they are in the program. Based on estimation by the Department of Corrections of a \$5 per hour average wage and 40 persons per day in the program, the County would expect an annual cost reimbursement of \$73,000 from this program.

Amendments were:

- (1) On page 2, line 18 after "less" add in any seven (7) day period
- (2) On page 2, line 18 delete (per week)

This legislation should therefore provide slightly more than \$100,000 in badly needed revenue for the County. With an implementation date after the first of the calendar year, FY92 revenues will be approximately \$50,000.

**BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

The proposed legislation would require persons sentenced to be incarcerated for forty-eight hours or less per week to pay all or a portion of the cost of incarceration, depending upon the level of their household income. The legislation would also require any person confined in the Home Detention Program to pay a fee equal to the gross wage earned for one hour of employment for each day that person is confined in the Home Detention Program.