

Fiscal Estimate Narratives

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LRB Number	05-3654/1	Introduction Number	AB-1018	Estimate Type	Original
Description Penalties for certain crimes committed by three or more persons and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, if an offender is assisted by one or more persons for certain sexual assault crimes, the maximum term of imprisonment increases. However, for other crimes, penalties do not depend on the number of people committing the offenses.

This bill increases the maximum term of imprisonment by five years for a person who commits a crime, as outlined in this bill, and is assisted by two or more persons. Additionally, the crime would become a felony, even if the crime ordinarily would have been a misdemeanor.

In calendar year 2004, the Department admitted 1,300 inmates for violations of the statutes identified in this bill, with sentences ranging from probation to lifetime imprisonment. The Department does not maintain data that would indicate if the crimes involved more than two offenders. As a result, the Department is unable to identify how many offenders would be subject to the increase in the maximum term of confinement under this bill, nor the frequency with which courts will impose the increased confinement time. Therefore the Department is unable to determine the fiscal impact this bill would have to the State. The FY05 annual cost to house an inmate in a Department of Corrections prison was \$26,200.

Local government should not be affected by this bill.

Long-Range Fiscal Implications