

143RD GENERAL ASSEMBLY

FISCAL NOTE

BILL:	HOUSE BILL NO. 404 W/ HOUSE AMENDMENT NO. 1
SPONSOR:	Representative Spence
DESCRIPTION:	AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO SPECIFIC OFFENSES.

ASSUMPTIONS:

1. This Act would provide life sentences for persons convicted of a Felony A or B sex crime in instances where the victim is less than 14 years old. House Amendment No. 1 would remove Title 11, Section 771(a)(1) from this Act.
2. The Statistical Analysis Center has estimated that there would be approximately 98 to 132 additional DOC beds required by 2036.
3. There would likely result in an additional 8 to 10 trials per year. The Courts estimate a need of an additional ISO Officer and an additional Criminal Case Manager, which would cost \$77,500 for 10 months including OECs. Additional Juror Fees of \$28,000 will also be required.
4. Due to additional trials and an estimation of additional appeals, the Public Defenders Office estimates a need for additional resources. One additional attorney (APD III) would cost \$77,500 for 10 months including OECs. The Attorney General's Office is currently not estimating a need for additional resources, and no additional resources is included in the total costs; if they were to require an additional attorney, the cost would be \$77,500 for 10 months, including OECs.
5. The cost of housing an inmate can be calculated as an allocated or a marginal expense. As an allocated cost, the latest estimate for housing an inmate is approximately \$26,000 annually. As a marginal expense, the latest estimate is \$5,250.
6. The costs to Department of Correction would not be seen in the next 3 years. By 2036, however, the marginal cost would total at least \$514,000 and the allocated cost would total at least \$2.5 million. Additional prison space may be required.
7. Two percent inflation is assumed.

COSTS:

<u>F.Y. 2007</u>	\$183,000
<u>F.Y. 2008</u>	\$214,000
<u>F.Y. 2009</u>	\$218,000
<u>F.Y. 2036</u>	At least 98 Department of Correction beds.