

146TH GENERAL ASSEMBLY

**FISCAL NOTE
REVISED**

BILL: SENATE BILL NO. 161
SPONSOR: Senator Lawson
DESCRIPTION: AN ACT TO AMEND TITLE 11 OF THE DELAWARE CODE RELATING TO HOME INVASION.

ASSUMPTIONS:

1. Effective upon enactment.
2. This Act would establish "Home Invasion" as a Class A Felony. A Home Invasion is defined as an armed burglary in combination with one of the following criminal offenses: Robbery 1st, Assault 1st or 2nd, Rape, Murder, Manslaughter, or Kidnapping.
3. The Statistical Analysis Center (SAC) reviewed this Act for potential bed-space impact to the Department of Correction. SAC worked with the Delaware Information and Analysis Center, Department of Safety and Homeland Security, in the identification and review of possible home invasion arrests. While their analysis does not predict appreciable increases in Felony A convictions, they do expect impact from plea bargaining toward longer terms for lesser charges. Impact will likely begin to occur 2 or 3 years after passage. They have estimated a full impact of 15 – 20 beds around F.Y. 2017.
4. The annual cost of housing a Level V inmate is approximately \$8,000 for medical and food service costs. The total cost per bed is \$34,400 when all costs, such as staffing and debt service, are included.
5. The annual operating cost (medical and food) for housing up to 20 inmates is \$160,000. The total cost (including fixed costs, such as staffing and debt service) for 20 inmates is \$688,000.
6. No inflation is assumed.

COSTS:

F.Y. 2013	None
F.Y. 2014	\$80,000
F.Y. 2015	\$120,000
F.Y. 2017	Between \$120,000 and \$160,000

Office of Controller General
April 05, 2012
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(Amounts are shown in whole dollars)