



129th MAINE LEGISLATURE

LD 316

LR 806(03)

An Act To Protect Adults 66 Years of Age and Older from Financial and Other Types of Exploitation through Theft by Deception

Fiscal Note for Bill as Amended by Committee Amendment " "

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Fiscal Note

	FY 2019-20	FY 2020-21	Projections FY 2021-22	Projections FY 2022-23
Net Cost (Savings)				
General Fund	\$17,850	\$23,800	\$23,800	\$23,800
Appropriations/Allocations				
General Fund	\$17,850	\$23,800	\$23,800	\$23,800

Fiscal Detail and Notes

This bill would raise the class of various theft crimes by one class, up to a maximum of Class B, if the victim is a vulnerable person. Currently, theft from a vulnerable person could range from a Class E to a Class B crime, depending on the circumstances of the case.

In 2018 the Maine Commission on Indigent Legal Services handled about 3,400 cases under the theft crime sections changed in this bill that were not already charged as Class B crimes. Of these, about half were class E crimes. The commission does not face increased costs from a crime moving from a Class E to a Class D. However, the average incremental cost of one case moving from a Class D to a Class C or from a Class C to a Class B is \$400. Assuming that 2%-5% of the relevant non-Class E cases are committed against a vulnerable person, it is estimated that 34 to 85 cases could face an elevation in the class of the crime. This would represent increased costs to the commission of \$13,600 to \$34,000, or an average of \$23,800 per year. The bill provides \$17,850 to the commission in fiscal year 2019-20 and \$23,800 in fiscal year 2020-21.

In addition, the Maine Department of Corrections (DOC) will face increased costs due to more incarcerated individuals and individuals incarcerated for longer periods of time. It is unclear how many individuals would be convicted of an elevated class of crime as a result of this bill. The incremental difference to the DOC of increasing a Class C crime to a Class B is \$27,506 per sentence. The incremental cost of increasing from a Class D to a Class C is \$44,106. The DOC has not indicated the need for additional funding at this time and no funding is included in the bill for the DOC.

The additional workload associated with the minimal number of new cases filed does not require additional funding at this time for the courts. The collection of additional fine revenue will increase General Fund and dedicated revenue by minor amounts.