

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 6437

BILL NUMBER: SB 151

DATE PREPARED: Nov 23, 1998

BILL AMENDED:

SUBJECT: Hate crime as an aggravating circumstance.

FISCAL ANALYST: Mark Bucherl

PHONE NUMBER: 232-9869

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes commission of a crime because of the disability, race, color, religion, sexual orientation, or national origin of the victim an aggravating circumstance that may be considered by a judge when the judge imposes a sentence for the crime.

Effective Date: July 1, 1999.

Explanation of State Expenditures: This bill provides that a crime of hate may provide an aggravating circumstance for consideration in sentencing for felony crimes. The following are the fixed sentences and possible maximum sentence extensions due to aggravating circumstances.

<u>Felony</u>	<u>Fixed Sentence</u>	<u>Sentence Extension Due to Aggravating Circumstance</u>	<u>Average Time Served All Felony Offenses</u>
Class D	1.5 years	+1.5 years	7 yrs., 10 mos.
Class C	4 years	+4 years	3 yrs., 2 mos.
Class B	10 years	+10 years	1 yr., 7 mos.
Class A	30 years	+20 years	7 mos.

This bill also provides for the following: (1) consecutive sentencing for multiple felonies that may include a crime of hate; and (2) life imprisonment without parole or the death penalty for the crime of murder which involved a hate crime.

The average expenditure to house an adult offender was \$20,500 in FY 97. Individual facility expenditures range from \$11,000 to \$27,000. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually or \$5 daily per prisoner.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial Courts.

Information Sources: Department of Correction.