

LEGISLATIVE FISCAL ESTIMATE TO

**SENATE, No. 60**

**STATE OF NEW JERSEY**

DATED: April 30, 1996

Senate Bill No. 60 of 1996 classifies the distributing, dispensing or possessing of controlled dangerous substances or controlled substance analogs in or within 500 feet of a public housing facility, a public park or a public building as a crime of the second degree and provides that if the violation in the same location involves less than one ounce of marijuana, the offense is classified as a crime of the third degree.

The Department of Law and Public Safety stated in a fiscal note for previous Legislative sessions that although there would be no fiscal impact on the department, the county or municipal engineer may incur costs for the production of maps depicting the boundaries of a public housing facility. No estimate of these costs has been provided.

The Administrative Office of the Courts (AOC) stated in a fiscal note for previous Legislative sessions that while it does maintain statistics on the number of individuals convicted of the various sections of N.J.S.2C:35-5, it does not collect information on where the offense occurred. As a result, there are no data available regarding how many of the offenses took place within 500 feet of public housing facilities, public parks and public buildings. The AOC adds that since the bill makes it a second degree crime to distribute controlled dangerous substances or controlled substance analogs within 500 feet of a public housing facility, park or building, convictions under this subsection would likely lead to an increase of sentences to the State prisons. This is because there is a presumptive term of imprisonment for all second degree crimes. According to the AOC the presumptive term is from 5 to 10 years.

The Office of Legislative Services concurs and adds that currently, the average cost of housing an inmate in a State correctional institution for one year is \$25,000.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.