

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6645

BILL NUMBER: HB 1630

NOTE PREPARED: Dec 19, 2008

BILL AMENDED:

SUBJECT: Mutilation of a Corpse.

FIRST AUTHOR: Rep. Bardon

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill makes mutilation of a corpse a Class B felony if the mutilation interferes with the investigation of the death.

Effective Date: July 1, 2009.

Explanation of State Expenditures: State expenditures would increase if an offender is incarcerated in a state prison for a longer period of time. A Class D felony is punishable by a prison term ranging between 6 months to 3 years or reduction to Class A misdemeanor, depending upon mitigating and aggravating circumstances. A Class B felony is punishable by a prison term ranging from 6 to 20 years. More offenders could mean increased costs to the Department of Correction (DOC). The average expenditure to house an adult offender was \$20,287 in FY 2008. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner. The estimated average cost of housing a juvenile in a state juvenile facility was \$69,223. The average length of stay in DOC facilities for all Class B felony offenders is approximately 3.7 years.

Background- In 2006 and 2007, there were no offenders committed to a state correctional facility for abuse of a corpse, a Class D felony. The bill would enhance the penalty for this offense to a Class B felony if the mutilation of the corpse interfered with the investigation of the death.

Explanation of State Revenues: No change would likely occur in state revenue as a result of this bill since criminal fines and court fees are the same for either Class D or B felonies.

Explanation of Local Expenditures:

Explanation of Local Revenues: No additional revenues would be expected since the court fees for Class D and Class B felonies are both \$120.

State Agencies Affected: DOC.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Sheriffs' Association; DOC.

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