
By: Delegate Getty

Introduced and read first time: February 3, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Fees - Crime Laboratory User Fee**

3 FOR the purpose of requiring a clerk of the District Court or a circuit court to impose a
4 crime laboratory user fee on certain defendants who are found guilty, enter a plea
5 of guilt or nolo contendere, or who are given probation before judgment; requiring
6 the Department of State Police to establish a standard fee schedule for laboratory
7 services; requiring a court clerk to pay fees collected to the Comptroller of the
8 State; requiring the Comptroller to pay crime laboratories for services provided;
9 defining certain terms; and generally relating to court fees.

10 BY adding to

11 Article - Courts and Judicial Proceedings
12 Section 7-406
13 Annotated Code of Maryland
14 (1995 Replacement Volume and 1996 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Courts and Judicial Proceedings**

18 7-406.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "CRIME LABORATORY" MEANS THE CRIME LABORATORY DIVISION
22 OF THE DEPARTMENT OF STATE POLICE OR A UNIT OF A LOCAL LAW ENFORCEMENT
23 AGENCY THAT PROVIDES SIMILAR SERVICES.

24 (3) "LABORATORY USER FEE" MEANS THE COST OF SERVICES
25 PROVIDED BY A CRIME LABORATORY UNDER THE STANDARD FEE SCHEDULE
26 DURING THE PROSECUTION OF A CRIMINAL CASE.

27 (B) THE DEPARTMENT OF STATE POLICE SHALL ESTABLISH A STANDARD FEE
28 SCHEDULE FOR CRIME LABORATORY SERVICES.

29 (C) (1) IF THE PROSECUTION OF A CRIMINAL CASE REQUIRES CRIME
30 LABORATORY SERVICES, A CLERK OF THE DISTRICT COURT OR A CIRCUIT COURT

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1 SHALL IMPOSE A LABORATORY USER FEE ON A DEFENDANT WHO IS FOUND GUILTY,
2 ENTERS A PLEA OF GUILT OR NOLO CONTENDERE, OR WHO IS GIVEN PROBATION
3 BEFORE JUDGMENT.

4 (2) THE LABORATORY USER FEE SHALL BE IMPOSED IN ADDITION TO
5 ANY OTHER COSTS REQUIRED BY LAW.

6 (D) (1) WITHIN 7 DAYS AFTER ALL SERVICES ARE PROVIDED, THE CRIME
7 LABORATORY SHALL SUBMIT TO THE CLERK OF THE COURT A DETAILED
8 STATEMENT OF THE LABORATORY USER FEE.

9 (2) A DEFENDANT SHALL PAY TO THE CLERK OF THE COURT THE
10 AMOUNT INDICATED IN THE DETAILED STATEMENT IN ACCORDANCE WITH
11 SUBSECTION (C)(1) OF THIS SECTION.

12 (E) (1) THE CLERK OF THE COURT SHALL PAY FEES COLLECTED UNDER
13 THIS SECTION TO THE COMPTROLLER OF THE STATE.

14 (2) THE COMPTROLLER SHALL USE THE MONEY RECEIVED UNDER THIS
15 SECTION TO PAY LABORATORY USER FEES TO CRIME LABORATORIES.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 1997.