

Department of Legislative Services  
Maryland General Assembly

**FISCAL NOTE**

Senate Bill 63 (Chairman, Judicial Proceedings Committee)  
(Departmental - State Police)

Judicial Proceedings

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**Crimes - Charge by Citation - Fireworks Violations**

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This departmental bill authorizes sworn personnel of the Office of the State Fire Marshal to use a criminal citation for the charging of specified misdemeanors relating to fireworks and fire hazards. The bill specifies that such a citation may be issued if: (1) the defendant furnishes satisfactory evidence of identity; and (2) a Fire Marshal has reasonable grounds to believe that the defendant will comply with the citation's requirements.

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**Fiscal Summary**

**State Effect:** Potential minimal effect on general fund revenues. Expenditures would not be affected.

**Local Effect:** None.

**Small Business Effect:** The Department of State Police has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

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**Fiscal Analysis**

**State Revenues:** General fund revenues could increase as a result of citation fines collected for those cases where an individual does not wish to contest guilt of a nonjailable offense that does not require the individual to pay restitution. Any such increase, however, would depend upon the penalties actually levied and paid, and are assumed to be minimal.

**State Expenditures:** Any potential costs relating to the issuance of these citations can be absorbed within the existing budgeted resources of the Department of State Police. In addition, the issuance of citations in lieu of making criminal arrests should lead to greater

overall efficiencies for the State Fire Marshal's office.

An increase in citations could also minimally alter the workload of the District Court. In fiscal 1997 the District Court reported 178,935 criminal filings. A defendant issued a citation is not brought before the District Court Commissioner for arraignment, as are warrant and probable cause arrests. Citations are given a hearing date and require the defendant to appear in court. This bill would theoretically lead to an increase in the scheduling of citation hearing dates and a decrease in arraignments for warrant and probable cause arrests. The ease with which citations can be issued could lead to an increase in overall criminal filings in the District Court. Accordingly, it is assumed that this bill would result in a minimal increase in the workload of the District Court. In any event, such an increase would not have a measurable effect on the operations or finances of the District Court.

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**Information Source(s):** Department of State Police (Office of the State Fire Marshal),  
Department of Legislative Services

**Fiscal Note History:** First Reader - January 20, 1998

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