

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 835
Judiciary

(Montgomery County Delegation)

Montgomery County - Public Schools - Use of Portable Phones
MC 102-01

This bill allows students in Montgomery County to possess a portable phone on public school property or to use a portable phone on public school property before or after school hours. The use or possession of a portable phone on school property is prohibited if: (1) the portable phone disrupts school functions; (2) the portable phone is found to be connected with criminal activity; or (3) the student using or possessing the portable phone has been arrested for a reportable offense.

The bill is effective July 1, 2001.

Fiscal Summary

State Effect: Any decrease in revenues from fines collected by the District Court would be minimal. No effect on expenditures.

Local Effect: Any revisions of Montgomery County school procedures could be made with existing resources.

Small Business Effect: None.

Analysis

Current Law: Individuals are prohibited from possessing portable pagers on public school property. This prohibition does not apply to: (1) a disabled student using portable pagers for medical reasons; (2) law enforcement officers; (3) visitors on public school

property for an authorized program, meeting, or function; (4) faculty or staff members employed by a local board; (5) emergency service personnel; and (6) students whose portable pagers are contained in vehicles that are on public school property and are not found to be connected with criminal activity

Background: In 1989 legislation was enacted prohibiting the use and possession of portable pagers on school property. The law provided for specified exemptions. Portable pagers were defined in law as any device carried, worn, or transported by an individual to receive or communicate messages. This included portable phones. The law was amended in 1997 to allow students to possess portable pagers on school property if the pagers are contained in vehicles and are not found to be connected with criminal activity.

Reportable offenses include crimes of violence, firearms violations, drug offenses, possession of explosives, and bomb threat violations.

Additional Information

Prior Introductions: HB 228 of 2000 would have allowed students to possess portable phones in any public school in Maryland. The bill was withdrawn following a House Judiciary Committee hearing.

Cross File: None.

Information Source(s): Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader – March 8, 2001
ncs/hlb

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