

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 872

(Senator Jacobs)

Judicial Proceedings

Rules and Executive Nominations

Criminal Procedure - Venue for Prosecution of Murder and Manslaughter

This bill authorizes the prosecution of a person for first degree murder, second degree murder, or manslaughter to be brought in the county in which the crime occurred or, if the location of the crime cannot be determined, in the county in which the body or parts of the body were found. The bill's provisions do not apply if an existing statutory exception for prosecutorial venue applies to the case.

Fiscal Summary

State Effect: The bill is procedural and does not materially affect State finances.

Local Effect: The bill is procedural and does not materially affect local finances.

Small Business Effect: None.

Analysis

Current Law: Crimes are typically prosecuted in the jurisdiction in which they were committed. However, statute provides exceptions in specific instances, such as when (1) a person is feloniously stricken or poisoned in a county but dies in another county; (2) a crime is committed on the waters of the Chesapeake Bay and not in a county; and (3) a crime is committed at the boundary between counties.

Additional Information

Prior Introductions: None.

Cross File: HB 909 (Delegate Valentino-Smith, *et al.*) - Judiciary.

Information Source(s): Judiciary (Administrative Office of the Courts), Montgomery County, Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2013
mc/kdm Revised - Senate Third Reader - April 5, 2013

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