

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 21  
Judiciary

(Delegate Conaway)

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**Criminal Law - Causing Injury by Failure to Obey a 9-1-1 Operator - Penalties**

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This bill prohibits a person from willfully disobeying a lawful instruction from a 9-1-1 operator responding to the person's call for emergency assistance if (1) the person is capable of obeying the instruction; (2) obeying the instruction would not put the person or any other person in danger of physical harm; and (3) the failure to obey the instruction directly leads to another's bodily harm or property damage. A violation is a misdemeanor subject to maximum penalties of imprisonment for one year and/or a fine of \$2,500.

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**Fiscal Summary**

**State Effect:** Minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

**Local Effect:** Minimal increase in local revenues and expenditures due to the bill's penalty provisions.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Emergency Number Systems Board was established by Chapter 730 of 1979. It is an agency within the Department of Public Safety and Correctional Services. Each county is required to have an enhanced 9-1-1 system. Services available through a 9-1-1 system must include police, firefighting, and emergency ambulance services.

A person may not willfully interfere with or obstruct a firefighter, a rescue squad member, or emergency services personnel while the firefighter, rescue squad member, or emergency services personnel (1) is fighting a fire, performing emergency services, or proceeding to a fire or other emergency or (2) is dispatched on a call for emergency services. A violator is guilty of a misdemeanor and subject to a maximum imprisonment of three years.

**State Revenues:** General fund revenues increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court.

**State Expenditures:** General fund expenditures increase minimally as a result of the bill's incarceration penalty due to more people being committed to State correctional facilities for convictions in Baltimore City. The number of people convicted of this proposed crime is expected to be minimal.

Generally, persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to a local detention facility. The Baltimore City Detention Center, a State-operated facility, is used primarily for pretrial detentions.

**Local Revenues:** Revenues increase minimally as a result of the bill's monetary penalty provisions from cases heard in the circuit courts.

**Local Expenditures:** Expenditures increase as a result of the bill's incarceration penalty. Counties pay the full cost of incarceration for people in their facilities for the first 12 months of the sentence. Per diem operating costs of local detention facilities have ranged from approximately \$60 to \$160 per inmate in recent years.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Baltimore City; Howard, Montgomery, and Prince George's counties; Department of State Police; Military Department; Department of Public Safety and Correctional Services; Department of Legislative Services

**Fiscal Note History:** First Reader - January 16, 2014  
mc/lgc

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