

HOUSE BILL 277

L3, L1

6lr0490

By: **Delegates Tarlau, Fennell, Sanchez, and A. Washington**

Introduced and read first time: January 26, 2016

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Authority to Serve Citations for Violations of County Laws**

3 FOR the purpose of authorizing a certain municipal enforcement officer to serve a citation
4 on behalf of a certain county on a person who the enforcement officer believes is
5 violating or has violated a certain county law, ordinance, or resolution within the
6 municipality or up to a certain distance outside the municipal limits; providing for
7 the manner of service and the contents of the citation; requiring the enforcement
8 officer to retain a copy of the citation and immediately provide a copy of the citation
9 to the governing body of the county; authorizing the county to prosecute the citation
10 in a certain manner and to a certain extent; and generally relating to the service of
11 citations by municipalities for violations of county laws.

12 BY adding to
13 Article – Local Government
14 Section 4–112
15 Annotated Code of Maryland
16 (2013 Volume and 2015 Supplement)

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

19 **Article – Local Government**

20 **4–112.**

21 **(A) ANY OFFICIAL AUTHORIZED BY THE LEGISLATIVE BODY OF A**
22 **MUNICIPALITY TO ACT AS AN ENFORCEMENT OFFICER MAY SERVE A CITATION ON**
23 **BEHALF OF THE COUNTY IN WHICH THE MUNICIPALITY IS LOCATED ON A PERSON**
24 **WHO THE ENFORCEMENT OFFICER BELIEVES IS COMMITTING OR HAS COMMITTED A**
25 **VIOLATION:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) OF ANY COUNTY LAW, ORDINANCE, OR RESOLUTION FOR WHICH A**
2 **CIVIL FINE OR PENALTY MAY BE IMPOSED; AND**

3 **(2) WITHIN THE MUNICIPALITY OR UP TO ONE-HALF MILE OUTSIDE**
4 **THE MUNICIPAL LIMITS.**

5 **(B) (1) A CITATION SERVED UNDER SUBSECTION (A) OF THIS SECTION**
6 **SHALL BE SERVED IN ACCORDANCE WITH THE PROVISIONS OF § 6-103(B) OF THIS**
7 **ARTICLE.**

8 **(2) THE ENFORCEMENT OFFICER SHALL RETAIN A COPY OF THE**
9 **CITATION AND IMMEDIATELY PROVIDE A COPY OF THE CITATION TO THE**
10 **GOVERNING BODY OF THE COUNTY.**

11 **(3) THE CONTENTS OF THE CITATION SHALL COMPLY WITH THE**
12 **REQUIREMENTS FOR A CITATION ISSUED BY THE COUNTY FOR THE SAME OFFENSE.**

13 **(C) A COUNTY MAY PROSECUTE A CITATION SERVED UNDER SUBSECTION**
14 **(A) OF THIS SECTION IN THE SAME MANNER AND TO THE SAME EXTENT AS IF AN**
15 **OFFICIAL AUTHORIZED BY THE GOVERNING BODY OF THE COUNTY HAD SERVED THE**
16 **CITATION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2016.