
By: Delegates Hubbard, Shriver, Hurson, Owings, Rosapepe, Exum, Fry, Menes, R. Baker, Montague, O'Donnell, Bobo, Frush, Crumlin, Patterson, DeCarlo, Benson, Bissett, Bonsack, Bozman, Brinkley, Conroy, D. Davis, Edwards, Elliott, Fulton, Getty, Goldwater, Grosfeld, Harkins, Healey, Hecht, Heller, Howard, Hutchins, Kagan, Mandel, McIntosh, McKee, T. Murphy, Pendergrass, Pitkin, Preis, Rudolph, Slade, Stup, Snodgrass, Valderrama, Workman, and Conway

Introduced and read first time: February 2, 1996

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 1996

CHAPTER _____

1 AN ACT concerning

2 ~~Public Safety Financing Reform Act of 1996~~

3 Court Costs - State Aid for Police Protection, Criminal Injuries Compensation, and

4 Victim and Witness Protection and Relocation

5 FOR the purpose of altering the per capita amount of a certain supplemental grant by the
6 State to certain subdivisions for police protection; providing for asupplemental
7 grant by the State to Baltimore City of a certain per capita amount;requiring the
8 State to allocate and distribute the grant among the subdivisions and certain
9 municipalities in the subdivisions on a per capita basis; altering the calculation of a
10 certain payment by the State each fiscal year to certain municipalities based on the
11 number of sworn police officers employed by the municipality; altering the amounts
12 of certain court costs imposed in the District Court; altering the distribution of
13 certain court costs collected by the District Court; ~~and generally relating to State~~
14 ~~allocation of money to subdivisions and municipalities for police protection~~
15 requiring certain funds to be paid to the Criminal Injuries Compensation Fund and
16 the Victim and Witness Protection and Relocation Fund; establishing the Victim
17 and Witness Protection and Relocation Fund; providing for the continuance,
18 accounting, investment and receipt of funds, audit, and purpose of the Victim and
19 Witness Protection and Relocation Fund; and generally relating to court costs.

20 BY repealing and reenacting, without amendments,

21 Article 88B - Department of State Police

22 Section 66(a)(1)

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1 Annotated Code of Maryland
2 (1995 Replacement Volume)

3 BY repealing and reenacting, with amendments,
4 Article 88B - Department of State Police
5 Section 66(b)(5) and (8)
6 Annotated Code of Maryland
7 (1995 Replacement Volume)

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 7-301
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1995 Supplement)

13 BY adding to
14 Article 27 - Crimes and Punishments
15 Section 770A
16 Annotated Code of Maryland
17 (1992 Replacement Volume and 1995 Supplement)

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

20 **Article 88B - Department of State Police**

21 66.

22 (a) As used in this subtitle:

23 (1) "Subdivision" means any county of Maryland but does not include
24 Baltimore City; or where the context requires, the governing body thereof.

25 (b) For the fiscal year beginning July 1, 1975, and thereafter, the State shall pay to
26 each subdivision, and to each qualifying municipality, each year in themanner and subject
27 to the limitations and requirements hereinafter provided, an amount determined as
28 follows:

29 (5) Supplemental Grant.

30 (I) In addition to the payments made under subparagraphs (1), (2),
31 (3) and (4) of this subsection, the State shall pay:

32 1. [to] TO each subdivision, SUBJECT TO SUBPARAGRAPH (II)
33 OF THIS PARAGRAPH, an amount the equivalent of [\$2.00] ~~\$3.00~~ \$2.50 per capita; AND

34 2. TO BALTIMORE CITY, AN AMOUNT THE EQUIVALENT OF
35 ~~\$1.00~~ FIFTY CENTS PER CAPITA.

36 (II) [This amount of supplemental grant shall be retained by the
37 subdivision but the governing body of the subdivision] THE STATE shall allocate and

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1 distribute [part of the amount of] THE supplemental grant to EACH SUBDIVISION
 2 AMONG THE SUBDIVISIONS AND the qualifying municipalities IN THOSE SUBDIVISIONS
 3 on a [formula] PER CAPITA basis [to be negotiated between the governingbody of the
 4 subdivision and the governing body of each qualifying municipality within the subdivision.
 5 The subdivision may use the proceeds of the supplemental grant for expenditures for
 6 police protection that are of benefit to all residents of the subdivision, both within or
 7 outside of municipalities].

8 (8) Municipal Sworn Officer Allocation. [For the fiscal year ending June
 9 30, 1991 and for each fiscal year thereafter, the] THE State shall pay to each qualifying
 10 municipality, in addition to the payments made under subparagraphs (1) through (7) of
 11 this subsection an amount equal to [\$900] ~~\$1,500~~ \$1,200 for each sworn police officer
 12 actually employed on a full-time basis by [each] THE qualifying municipality, as
 13 determined by the Secretary.

14 **Article - Courts and Judicial Proceedings**

15 7-301.

16 (a) The court costs in a traffic case, including parking and impounding cases in
 17 which costs are imposed, are [\$15.00] ~~\$25~~ \$20. Such costs shall also be applicable to those
 18 cases in which the defendant elects to waive his right to trial and pay the fine or penalty
 19 deposit established by the Chief Judge of the District Court by administrative regulation.
 20 In an uncontested parking or impounding case in which the fines are paid directly to a
 21 political subdivision or municipality, costs are \$2.00, which costs shall be paid to and
 22 retained by the political subdivision or municipality. In an uncontested case in which the
 23 fine is paid directly to an agency of State government authorized by law to regulate
 24 parking of motor vehicles, the costs are \$2.00. The fine and the costs shall be paid to the
 25 agency, which shall receive and account for these funds as in all other cases involving
 26 sums due the State through a State agency.

27 (b) (1) The court costs in a criminal case in which costs are imposed are
 28 [\$15.00] ~~\$25~~ \$20.

29 (2) The costs shall be in addition to any costs imposed in a criminal case
 30 under the Criminal Injuries Compensation Act.

31 (c) (1) The filing fees and costs in a civil case are those prescribed by law
 32 subject to modification by law, rule, or administrative regulation.

33 (2) The Court of Appeals may provide by rule for waiver of prepayment of
 34 filing fees and other costs in cases of indigency.

35 (d) When a person pays court costs or a fine with a check in any motor vehicle,
 36 criminal, or civil case in the District Court, and the check is returned to the court by the
 37 financial institution on which it is drawn because of insufficient funds in the account, or
 38 because the account has been closed or never existed, then the court may impose
 39 additional costs of \$10 against the party issuing the check. These costs shall be in addition
 40 to any other penalty now prescribed by law.

41 (e) The Comptroller shall establish a Law Enforcement and Correctional
 42 Training Fund, as provided in Article 41, § 4-1301 of the Code, and the Comptroller shall

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1 pay into the Fund [one third] ~~ONE-FIFTH~~ ONE-FOURTH of all court costs collected by
2 the District Court under subsections (a) and (b)(1) of this section.

3 (F) THE COMPTROLLER SHALL ANNUALLY PAY FROM THE COURT COSTS
4 COLLECTED BY THE DISTRICT COURT UNDER SUBSECTIONS (A) AND (B)(1) OF THIS
5 SECTION:

6 (1) \$500,000 INTO THE CRIMINAL INJURIES COMPENSATION FUND
7 ESTABLISHED UNDER ARTICLE 26A, § 17A OF THE CODE; AND

8 (2) \$125,000 INTO THE VICTIM AND WITNESS PROTECTION AND
9 RELOCATION PROGRAM ESTABLISHED UNDER ARTICLE 27, § 770A OF THE CODE.

10 **Article 27 - Crimes and Punishments**

11 770A.

12 (A) (1) THERE IS A VICTIM AND WITNESS PROTECTION AND RELOCATION
13 FUND.

14 (2) THE FUND IS A SPECIAL CONTINUING, NONLAPSING FUND THAT IS
15 NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

16 (3) THE TREASURER SHALL SEPARATELY HOLD AND THE
17 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

18 (4) THE FUND SHALL BE INVESTED AND REINVESTED IN THE SAME
19 MANNER AS OTHER STATE FUNDS.

20 (5) ANY INVESTMENT EARNINGS OR FEDERAL MATCHING FUNDS
21 RECEIVED BY THE STATE FOR VICTIM AND WITNESS PROTECTION OR RELOCATION
22 SHALL BE RETAINED TO THE CREDIT OF THE FUND.

23 (6) THE FUND SHALL BE SUBJECT TO AN AUDIT BY THE DIVISION OF
24 OFFICE OF LEGISLATIVE AUDITS AS PROVIDED UNDER § 2-1215 OF THE STATE
25 GOVERNMENT ARTICLE.

26 (7) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT THE FUND
27 FROM RECEIVING FUNDS FROM ANY OTHER SOURCE.

28 (B) THE FUND SHALL BE USED TO FUND THE VICTIM AND WITNESS
29 PROTECTION AND RELOCATION PROGRAM UNDER § 770 OF THIS ARTICLE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That, in Fiscal Year 1996, any
31 unspent balance of an appropriation to the Victim and Witness Protection and
32 Relocation Program shall revert to the Victim and Witness Protection and Relocation
33 Fund.

34 SECTION 2- 3. AND BE IT FURTHER ENACTED, That this Act shall take
35 effect ~~October~~ July 1, 1996.

