
By: Senator Collins (Baltimore County Administration)

Introduced and read first time: February 2, 1996

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 20, 1996

CHAPTER ____

1 AN ACT concerning

2 **Drunk and Drugged Driving Offenses - Fines - Baltimore County Treatment Access**
3 **Program Fund**

4 FOR the purpose of establishing the Baltimore County Treatment Access Program Fund;
5 defining a certain term; providing for the administration of the Fund and specifying
6 the purpose of the Fund; requiring a court in Baltimore County to fine a defendant
7 who is found to have violated certain offenses a certain amount; authorizing the
8 court to waive the fine under certain circumstances; providing for the disposition of
9 the fines; providing that the fine imposed shall be in addition to certain other fines;
10 and generally relating to the Baltimore County Treatment Access Program Fund
11 and required fines for violation of certain offenses in Baltimore County.

12 BY repealing and reenacting, with amendments,
13 Article 38 - Fines and Forfeitures
14 Section 5(a)
15 Annotated Code of Maryland
16 (1993 Replacement Volume and 1995 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - Courts and Judicial Proceedings
19 Section 7-302(a)
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1995 Supplement)

22 BY adding to
23 Article - Courts and Judicial Proceedings
24 Section 7-406

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1 Annotated Code of Maryland
2 (1995 Replacement Volume and 1995 Supplement)

3 BY adding to

4 Article - Transportation
5 Section 27-110
6 Annotated Code of Maryland
7 (1992 Replacement Volume and 1995 Supplement)

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

10 **Article 38 - Fines and Forfeitures**

11 5.

12 (a) [One] EXCEPT AS PROVIDED IN § 7-406 OF THE COURTS ARTICLE, ONE
13 half of the fines imposed and recognizances forfeited to the circuit court for the several
14 counties of the State shall be paid to the clerks of the respective courts, to be expended
15 under the direction of the judge or judges of said courts, for the augmentation of the
16 libraries of said courts. This section does not apply to Anne Arundel, Somerset, and
17 Howard Counties. The clerk shall retain a 5 percent commission on the fines and
18 forfeitures collected. In Baltimore County, this section shall not apply to fines imposed in
19 gambling cases.

20 **Article - Courts and Judicial Proceedings**

21 7-302.

22 (a) Except as provided in subsections (b) through (d) of this section AND § 7-406
23 OF THIS ARTICLE, the clerks of the District Court shall:

24 (1) Collect costs, fines, forfeitures, or penalties imposed by the court; and

25 (2) Remit them to the State under a system agreed upon by the Chief Judge
26 of the District Court and the Comptroller.

27 7-406.

28 (A) IN THIS SECTION, "FUND" MEANS THE BALTIMORE COUNTY TREATMENT
29 ACCESS PROGRAM FUND.

30 (B) (1) THERE IS A BALTIMORE COUNTY TREATMENT ACCESS PROGRAM
31 FUND.

32 (2) THE FUND SHALL BE ADMINISTERED BY THE BALTIMORE COUNTY
33 OFFICE OF FINANCE AND USED FOR THE BALTIMORE COUNTY TREATMENT ACCESS
34 PROGRAM.

35 (C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE COUNTY.

36 (2) IN ANY CRIMINAL PROCEEDING IN WHICH THE DEFENDANT IS
37 FOUND TO HAVE VIOLATED § 21-902 OF THE TRANSPORTATION ARTICLE, THE

3

1 COURT SHALL FINE THE DEFENDANT \$50 IN ADDITION TO ANY OTHER FINE THAT
2 MAY BE IMPOSED BY LAW.

3 (3) NOTWITHSTANDING THE REQUIREMENTS OF THIS SUBSECTION,
4 UPON A FINDING OF HARDSHIP, THE COURT MAY WAIVE THE FINE IMPOSED UNDER
5 THIS SUBSECTION.

6 (D) ANY FINE IMPOSED UNDER THIS SECTION SHALL BE COLLECTED BY THE
7 CLERK OF THE COURT AND TRANSMITTED TO THE DIRECTOR OF THE OFFICE OF
8 FINANCE FOR DEPOSIT IN THE FUND.

9 **Article - Transportation**

10 27-110.

11 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN BALTIMORE COUNTY,
12 ANY FINE IMPOSED UNDER § 7-406 OF THE COURTS ARTICLE SHALL BE IN ADDITION
13 TO A FINE IMPOSED UNDER § 27-101 OF THIS SUBTITLE FOR A VIOLATION OF § 21-902
14 OF THIS ARTICLE .

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1996.