

CF 6lr0782

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**By:** ~~Senator Amoss~~ Senators Amoss, Green, Forehand, Kasemeyer, Lawlah, McFadden, and Munson

Introduced and read first time: February 2, 1996

Assigned to: Budget and Taxation and Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 18, 1996

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## CHAPTER \_\_\_\_

1 AN ACT concerning

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

3 FOR the purpose of altering the per capita amount of a certain supplemental grant by the  
4 State to certain subdivisions for police protection; providing for asupplemental  
5 grant by the State to Baltimore City of a certain per capita amount;requiring the  
6 State to allocate and distribute the grant among the subdivisions and certain  
7 municipalities in the subdivisions on a per capita basis; altering the calculation of a  
8 certain payment by the State each fiscal year to certain municipalities based on the  
9 number of sworn police officers employed by the municipality; altering the amounts  
10 of certain court costs imposed in the District Court; altering the distribution of  
11 certain court costs collected by the District Court; requiring that certain fees be  
12 distributed to the Criminal Injuries Compensation Fund; and generally relating to  
13 State allocation of money to subdivisions and municipalities for police protection.

14 BY repealing and reenacting, without amendments,  
15 Article 88B - Department of State Police  
16 Section 66(a)(1)  
17 Annotated Code of Maryland  
18 (1995 Replacement Volume)

19 BY repealing and reenacting, with amendments,  
20 Article 88B - Department of State Police  
21 Section 66(b)(5) and (8)  
22 Annotated Code of Maryland  
23 (1995 Replacement Volume)

24 BY repealing and reenacting, with amendments,

2

1 Article - Courts and Judicial Proceedings  
2 Section 7-301  
3 Annotated Code of Maryland  
4 (1995 Replacement Volume and 1995 Supplement)

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

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

8 66.

9 (a) As used in this subtitle:

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

12 (b) For the fiscal year beginning July 1, 1975, and thereafter, the State shall pay to  
13 each subdivision, and to each qualifying municipality, each year in the manner and subject  
14 to the limitations and requirements hereinafter provided, an amount determined as  
15 follows:

16 (5) Supplemental Grant.

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

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

21 2. TO BALTIMORE CITY, AN AMOUNT THE EQUIVALENT OF  
22 \$1.00 PER CAPITA.

23 (II) [This amount of supplemental grant shall be retained by the  
24 subdivision but the governing body of the subdivision] THE STATE shall allocate and  
25 distribute [part of the amount of] THE supplemental grant to EACH SUBDIVISION  
26 AMONG THE SUBDIVISIONS AND the qualifying municipalities IN THOSE SUBDIVISIONS  
27 on a [formula] PER CAPITA basis [to be negotiated between the governing body of the  
28 subdivision and the governing body of each qualifying municipality within the subdivision.  
29 The subdivision may use the proceeds of the supplemental grant for expenditures for  
30 police protection that are of benefit to all residents of the subdivision, both within or  
31 outside of municipalities].

32 (8) Municipal Sworn Officer Allocation. [For the fiscal year ending June  
33 30, 1991 and for each fiscal year thereafter, the] THE State shall pay to each qualifying  
34 municipality, in addition to the payments made under subparagraphs (1) through (7) of  
35 this subsection an amount equal to [\$900] \$1,500 for each sworn police officer actually  
36 employed on a full-time basis by [each] THE qualifying municipality, as determined by  
37 the Secretary.

3

1       **Article - Courts and Judicial Proceedings**

2 7-301.

3       (a) The court costs in a traffic case, including parking and impounding cases in  
4 which costs are imposed, are [\$15.00] \$25. Such costs shall also be applicable to those  
5 cases in which the defendant elects to waive his right to trial and pay the fine or penalty  
6 deposit established by the Chief Judge of the District Court by administrative regulation.  
7 In an uncontested parking or impounding case in which the fines are paid directly to a  
8 political subdivision or municipality, costs are \$2.00, which costs shall be paid to and  
9 retained by the political subdivision or municipality. In an uncontested case in which the  
10 fine is paid directly to an agency of State government authorized by law to regulate  
11 parking of motor vehicles, the costs are \$2.00. The fine and the costs shall be paid to the  
12 agency, which shall receive and account for these funds as in all other cases involving  
13 sums due the State through a State agency.

14       (b) (1) The court costs in a criminal case in which costs are imposed are  
15 [\$15.00] \$25.

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

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

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

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

28       (e) The Comptroller shall establish a Law Enforcement and Correctional  
29 Training Fund, as provided in Article 41, § 4-1301 of the Code, and the Comptroller shall  
30 pay into the Fund [one third] ONE-FIFTH of all court costs collected by the District  
31 Court under subsections (a) and (b)(1) of this section.

32       (F) AFTER FUNDS HAVE BEEN PAID AS PROVIDED UNDER SUBSECTION (E) OF  
33 THIS SECTION, THE COMPTROLLER SHALL ANNUALLY PAY \$1.25 MILLION OF THE  
34 COURT COSTS COLLECTED BY THE DISTRICT COURT UNDER SUBSECTIONS (A) AND  
35 (B)(1) OF THIS SECTION INTO THE CRIMINAL INJURIES COMPENSATION FUND  
36 ESTABLISHED UNDER ARTICLE 26A, § 17A OF THE CODE.

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

