

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 1424 (Delegate Boston)  
Judiciary

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**False Alarms - Penalties**

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This bill requires law enforcement agencies and fire departments to issue civil citations to alarm users when they respond to more than two false alarms per year. Fines for false alarms are increased, and the fees go to the agency that issued the citation. An alarm system that causes more than six false alarms in a year must be recertified by a “licensed burglar and alarm contractor.”

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**Fiscal Summary**

**State Effect:** Potential significant increase in revenue and indeterminate increase in expenditures.

**Local Effect:** Indeterminate increase in revenues and expenditures. **This bill places a mandate on a unit of local government.**

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**Fiscal Analysis**

**Background:** Under current law, local jurisdictions are authorized to issue civil citations with a \$30 fine if an alarm triggers more than three responses within a month or eight responses in a year. According to the State Fire Marshal’s Office, three fire departments currently issue civil citations for false alarms: Baltimore County, Montgomery County, and Ocean City. Baltimore City reports it also assesses penalties for false alarms.

A large number of false alarms are caused by weather or construction or occur at institutions such as hospitals and schools. Citations are generally not issued in these circumstances. In addition, most alarm owners promptly fix any problems that cause false alarms.

**State Revenues:** In fiscal 1994 the Department of State Police received 12,416 false alarm

notifications. The department estimates this bill could increase its revenues by \$757,400 annually assuming: (1) a constant number of false alarms, (2) 20% of these (2,483) are non-chargeable; (3) 30% of the remaining amount are for first or second false alarms; (4) 25% are for third or fourth false alarms; (5) 20% are for a fifth false alarm; and (6) 25% are for a sixth or subsequent false alarm. No start-up delay is assumed as false alarms reported before the effective date of the bill can be counted. **The Department of Fiscal Services advises that this estimate could overstate revenue as people and business faced with fines would be more likely to repair faulty systems.**

The State currently receives general fund revenue from jurisdictions that impose a fine under current law when the fine is paid in the District Court. Any such loss in revenue is assumed to be minimal.

**State Expenditures:** The bill requires that the fine collected go to the law enforcement agency or fire department that actually responded to the false alarm. As the bill does not provide for apportionment of funds to multiple agencies, it is assumed that the fine would go to the agency that issued the citation, regardless of how many agencies actually responded.

Any fines not paid directly to the agency could be turned over to the District Court. The District Court would be required to distribute these funds to the responding agency. Funds collected by the District Court generally go to the State's general fund. District Court data processing and accounting systems are not designed to accommodate payments to these individual agencies. As a result, the District Court would experience one-time expenditures in fiscal 1997 for reprogramming and other system changes. The cost of these changes cannot be reliably estimated at this time.

Although the bill permits the State Police to "place the alarm user's system on a nonresponse status," the State Police would continue to respond to alarm calls as refusal to respond could jeopardize the lives and safety of people and property.

**Local Revenues:** To the extent that fines are assessed against alarm owners and these fines are paid, revenues for local law enforcement and fire departments could increase. Any such increase cannot be reliably estimated at this time.

**Local Expenditures:** Although the bill permits agencies to "place the alarm user's system on a nonresponse status," local law enforcement agencies and fire departments would continue to respond to alarm calls as refusal to respond could jeopardize the lives and safety of people and property.

Baltimore City and Calvert County report no fiscal impact. Harford County estimates that the bill would require additional staff in the sheriff's office at an annual cost of \$37,700. Fiscal Services advises that to the extent that other jurisdictions must print and issue citations

and collect fines, costs could increase, but any increase cannot be reliably estimated at this time.

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**Information Source(s):** Department of State Police, Judiciary (District Court of Maryland), Department of Public Safety and Correctional Services (Office of the State Fire Marshal), Baltimore City, Calvert and Harford counties, Department of Fiscal Services

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