

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 1245

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike "Crimes - Unauthorized Use - Penalties" and substitute "Unlawful Taking or Use of a Motor Vehicle - Penalties - Jurisdiction"; in line 4, after "of" insert "repealing provisions relating to the unauthorized taking of a motor vehicle; reclassifying as a felony and"; and strike beginning with ", animals" in line 9 down through "property" in line 11 and substitute "or livestock; providing for the jurisdiction of the District Court and the circuit court in a case involving the unauthorized use of certain vehicles or livestock; and generally relating to the unauthorized taking of a motor vehicle and the unauthorized use of certain vehicles or livestock".

On page 1, in line 12, strike "and reenacting, without amendments,"; and after line 21, insert:

"BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 4-301(b) and 4-302(a) and (d)

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 18, inclusive; in line 29, strike "misdemeanor" and substitute "FELONY"; and after line 38, insert:

"Article - Courts and Judicial Proceedings

4-301.

(b) Except as provided in § 4-302, the District Court also has exclusive original jurisdiction in a criminal case in which a person at least 18 years old or a corporation is charged with:

(Over)

(1) Commission of a common-law or statutory misdemeanor regardless of the amount of money or value of the property involved;

(2) Violation of §§ 342 through 344 of Article 27 of the Code, whether a felony or a misdemeanor;

(3) Violation of a county, municipal, or other ordinance, if the violation is not a felony;

(4) Criminal violation of a State, county, or municipal rule or regulation, if the violation is not a felony;

(5) Doing or omitting to do any act made punishable by a fine, imprisonment, or other penalty as provided by the particular law, ordinance, rule, or regulation defining the violation if the violation is not a felony;

(6) Violation of Article 27, § 141 of this Code, whether a felony or a misdemeanor;

(7) Violation of Article 27, § 145 of this Code, whether a felony or misdemeanor;

(8) Violation of Article 27, § 44 of the Code;

(9) Violation of Article 48A, § 233 of the Code, whether a felony or a misdemeanor;

(10) Violation of § 9-1106 of the Labor and Employment Article; [or]

(11) Violation of § 14-1403 of the Commercial Law Article; OR

(12) VIOLATION OF ARTICLE 27, § 349 OF THE CODE.

4-302.

(a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), [and (11)] (11), AND (12) of this subtitle, the District Court does not have jurisdiction to try a criminal case charging the

commission of a felony.

(d) The jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case:

(1) In which the penalty may be confinement for three years or more or a fine of \$2,500 or more; or

(2) Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), [and (11)] (11), AND (12) of this subtitle.”.