

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL NO. 587

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike the first "Motor"; in line 3, after "Intoxicated" insert ", Intoxicated Per Se, or Under the Influence"; and in line 4, strike "motor"; in line 7, after "substance" insert "; providing for jurisdiction of the offenses under this Act; and generally relating to manslaughter by vehicle and homicide by motor vehicle or vessel while intoxicated, intoxicated per se, or under the influence of alcohol, drugs, or a controlled dangerous substance".

AMENDMENT NO. 2

On page 1, after line 12, 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. 3

On page 3, after line 28, insert:

"Article - Courts and Judicial Proceedings

4-301.

(b) Except as provided in § 4-302 OF THIS SUBTITLE, 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;

(12) VIOLATION OF ARTICLE 27, § 388 OF THE CODE; OR

(13) VIOLATION OF ARTICLE 27, § 388A OF THE CODE.

4-302.

(a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), [and] (11), (12), AND (13), 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), (12), AND (13) of this subtitle.”