

CF 7lr1176

By: Delegate Vallario (Task Force to Examine Maryland's Crime Victims' Rights Laws) and Delegates R. Baker, Barve, Beck, Bozman, Brinkley, E. Burns, M. Burns, Conway, Cryor, D. Davis, DeCarlo, Dewberry, Doory, Dypski, Edwards, Elliott, Faulkner, Finifter, Frank, Frush, Fry, Genn, Goldwater, Grosfeld, Hammen, Harkins, Harrison, Healey, Hecht, Heller, Hixson, Holt, Howard, Hubbard, B. Hughes, Hurson, Hutchins, Kach, Klausmeier, Klima, Kopp, Krysiak, Linton, Pitkin, Preis, Proctor, Rawlings, Rosapepe, Rudolph, Rzepkowski, Shriver, Slade, Snodgrass, Stup, Taylor, Turner, Wood, Love, Malone, McIntosh, McKee, Menes, Minnick, Mohorovic, Montague, Morgan, Morhaim, Mossburg, T. Murphy, Owings, Parker, Pendergrass, Perry, and Workman

Introduced and read first time: January 31, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Court Costs - Victims of Crime**

3 FOR the purpose of increasing the amount of additional court costs that may be imposed
4 on persons who are convicted of certain crimes; requiring the Comptroller to
5 deposit certain portions of the additional fees collected under this Act into the
6 Maryland Victims of Crime Fund and the Victim and Witness Protection and
7 Relocation Fund; and generally relating to additional court costs in criminal cases.

8 BY repealing and reenacting, with amendments,
9 Article 27 - Crimes and Punishments
10 Section 830
11 Annotated Code of Maryland
12 (1996 Replacement Volume)

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

15 **Article 27 - Crimes and Punishments**

16 830.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) "Crime" means an act committed by a person in the State that is:

19 (i) A crime under Article 27 of the Code;

20 (ii) A violation of the Transportation Article which is punishable by
21 imprisonment; or

2

1 (iii) A crime at common law.

2 (3) "Offense" means an act committed by a person in the State that is a
3 violation of the Transportation Article and is not punishable by imprisonment.

4 (b) In addition to any other costs required by law, a circuit court shall impose on
5 a defendant convicted of a crime an additional cost of [~~\$40~~] \$45 in the case.

6 (c) In addition to any other costs required by law, the District Court shall impose
7 on a defendant convicted of a crime an additional cost of [~~\$30~~] \$35 in the case.

8 (d) In addition to any other costs required by law, a court shall impose on a
9 defendant convicted of an offense an additional cost of \$3 in the case, including cases in
10 which the defendant elects to waive the right to trial and pay the fine or penalty deposit
11 established by the Chief Judge of the District Court by administrative regulation.

12 (e) (1) All money collected under this section shall be paid to the Comptroller
13 of the State.

14 (2) The Comptroller shall deposit [~~\$20~~] \$22.50 from each fee collected
15 under subsection (b) of this section from a circuit court and [~~\$10~~] \$12.50 from each fee
16 collected under subsection (c) of this section from the District Court into the Maryland
17 Victims of Crime Fund established under § 854 of this subtitle.

18 (3) THE COMPTROLLER SHALL DEPOSIT \$2.50 FROM EACH FEE
19 COLLECTED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION INTO THE VICTIM
20 AND WITNESS PROTECTION AND RELOCATION FUND ESTABLISHED UNDER § 836 OF
21 THIS SUBHEADING.

22 [(3)] (4) The Comptroller shall deposit all other moneys collected under
23 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
24 established under § 831 of this subheading.

25 [(4)] (5) The Comptroller shall pay out moneys from the Maryland Victims
26 of Crime Fund as approved by the Board of Victim Services under §§ 837 through 844 of
27 this subtitle.

28 (f) (1) From the first \$500,000 in fees collected under subsection (d) of this
29 section in each fiscal year, the Comptroller shall deposit one-half of each fee into the
30 Maryland Victims of Crime Fund and one-half of each fee into the Criminal Injuries
31 Compensation Fund.

32 (2) For fees collected under subsection (d) of this section in excess of
33 \$500,000 in each fiscal year, the Comptroller shall deposit the entire fee into the Criminal
34 Injuries Compensation Fund.

35 (g) A political subdivision may not be held liable under any condition for the
36 payment of sums under this section.

37 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
38 July 1, 1997.