
By: Delegates T. Murphy, McHale, C. Mitchell, Oaks, Krysiak, Hammen, Watson, Dypski, Opara, and Rosenberg

Introduced and read first time: February 12, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Court Costs - Public Safety Fund for Local Jurisdictions**

3 FOR the purpose of imposing certain additional court costs in certain counties or
4 Baltimore City that establish a Public Safety Fund for certain purposes; requiring
5 certain funds to be transferred to certain counties or Baltimore City under certain
6 circumstances; authorizing certain counties and Baltimore City to establish by
7 ordinance a Public Safety Fund for certain purposes.

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 BY adding to
14 Article 27 - Crimes and Punishments
15 Section 833
16 Annotated Code of Maryland
17 (1996 Replacement Volume)

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

20 **Article 27 - Crimes and Punishments**

21 830.

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

23 (2) "COUNTY" INCLUDES BALTIMORE CITY.

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

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

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

2

1 (iii) A crime at common law.

2 [(3)] (4) "Offense" means an act committed by a person in the State that is
3 a 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 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 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) IN ADDITION TO ANY OTHER COSTS REQUIRED BY LAW, A COURT IN A
13 COUNTY THAT HAS ESTABLISHED BY ORDINANCE A PUBLIC SAFETY FUND TO
14 COLLECT CRIMINAL COURT COSTS AS PROVIDED IN § 833 OF THIS SUBHEADING
15 SHALL IMPOSE ON A DEFENDANT CONVICTED OF A CRIME AN ADDITIONAL COST OF
16 \$50 IN THE CASE.

17 (2) ALL MONEY COLLECTED UNDER PARAGRAPH (1) OF THIS
18 SUBSECTION SHALL BE TRANSFERRED FROM THE CLERK OF THE COURT TO THE
19 COUNTY AS PROVIDED IN § 833 OF THIS SUBHEADING.

20 [(e)] (F) (1) All money collected under SUBSECTIONS (B) THROUGH (D) OF
21 this section shall be paid to the Comptroller of the State.

22 (2) The Comptroller shall deposit \$20 from each fee collected under
23 subsection (b) of this section from a circuit court and \$10 from each fee collected under
24 subsection (c) of this section from the District Court into the Maryland Victims of Crime
25 Fund established under § 854 of this subtitle.

26 (3) The Comptroller shall deposit all other moneys collected under
27 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
28 established under § 831 of this subheading.

29 (4) The Comptroller shall pay out moneys from the Maryland Victims of
30 Crime Fund as approved by the Board of Victim Services under §§ 837 through 844 of this
31 subtitle.

32 [(f)] (G) (1) From the first \$500,000 in fees collected under subsection (d) of
33 this section in each fiscal year, the Comptroller shall deposit one-half of each fee into the
34 Maryland Victims of Crime Fund and one-half of each fee into the Criminal Injuries
35 Compensation Fund.

36 (2) For fees collected under subsection (d) of this section in excess of
37 \$500,000 in each fiscal year, the Comptroller shall deposit the entire fee into the Criminal
38 Injuries Compensation Fund.

39 [(g)] (H) A political subdivision may not be held liable under any condition for
40 the payment of sums under this section.

3

1 833.

2 (A) A COUNTY MAY ESTABLISH BY ORDINANCE A PUBLIC SAFETY FUND TO
3 COLLECT CRIMINAL COURT COSTS IMPOSED UNDER § 830(E) OF THIS SUBHEADING.

4 (B) THE CLERK OF THE COURT FOR A COUNTY SHALL TRANSFER TO THE
5 COUNTY PUBLIC SAFETY FUND ANY FEES COLLECTED UNDER § 830(E) OF THIS
6 SUBHEADING.

7 (C) MONEY COLLECTED IN A PUBLIC SAFETY FUND ESTABLISHED UNDER
8 THIS SECTION SHALL BE USED FOR PUBLIC SAFETY PURPOSES THAT ARE
9 DESIGNATED THROUGH ORDINANCE BY THE COUNTY THAT ESTABLISHES THE
10 PUBLIC SAFETY FUND.

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