

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

House Bill 419 (Delegates Vallario and Pitkin)  
Judiciary

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**Criminal Procedure - District Court Jurisdiction - First Degree Assault**

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This bill expands the exclusive original jurisdiction of the District Court to include the crime of assault in the first degree. The penalty, imprisonment for not more than 25 years, remains the same.

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**Fiscal Summary**

**State Effect:** None. Any increase in the District Court's workload is assumed to be minimal. Moving the cases from the circuit courts to the District Court would not substantively affect State finances as discussed below.

**Local Effect:** None. Any decrease in the circuit courts' workload is assumed to be minimal.

**Small Business Effect:** None. The bill would not directly affect small businesses.

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**Fiscal Analysis**

**State Effect:** Under current law, the District Court has concurrent jurisdiction with the circuit court in certain criminal cases. If the crime is one in which there is a possibility of incarceration of 90 days or more, the defendant can demand a jury trial and the District Court would be deprived of jurisdiction. The case would be transferred to a circuit court.

This bill would enable the District Court to hear first degree assault cases to the extent that a jury trial is not prayed. The Department of Fiscal Services does not have any information on the additional number of cases that may be heard by the District Court pursuant to this bill. Thus, any effect on the District Court's caseload for these future violations cannot be reliably estimated at this time, although it is expected to be minimal. Since the penalty for first degree assault does not carry a fine, general fund revenues would not be affected. Further,

since the incarceration penalty remains the same, general fund expenditures would not be affected.

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**Information Source(s):** Judiciary (District Court of Maryland), Department of Fiscal Services

**Fiscal Note History:** First Reader - February 10, 1997  
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