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By: Delegates Vallario and Turner

Introduced and read first time: January 28, 1998

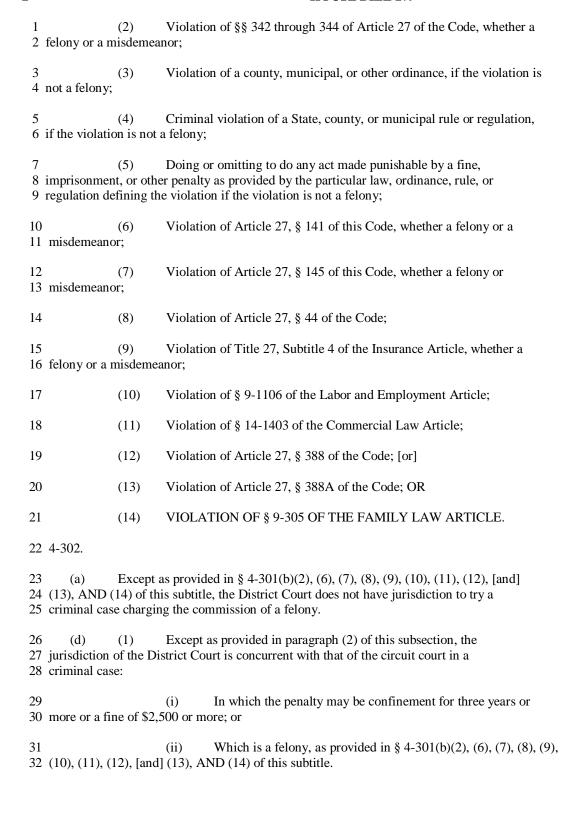
Assigned to: Judiciary

A BILL ENTITLED

1	AN ACT co	oncerning		

- 2 District Court Criminal Jurisdiction Child Abduction and Custody
 3 Interference
- 4 FOR the purpose of granting the District Court jurisdiction over criminal cases in
- 5 which a relative is charged with abducting a child to a place outside of this
- 6 State, detaining, harboring, or hiding a child outside of this State, or acting as
- an accessory to any of these acts; establishing that the jurisdiction of the District
- 8 Court is concurrent with the jurisdiction of the circuit court in these cases; and
- 9 generally relating to the jurisdiction of the District Court.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Courts and Judicial Proceedings
- 12 Section 4-301(b) and 4-302(a) and (d)(1)
- 13 Annotated Code of Maryland
- 14 (1995 Replacement Volume and 1997 Supplement)
- 15 BY repealing and reenacting, without amendments,
- 16 Article Family Law
- 17 Section 9-305 and 9-307(b) and (c)
- 18 Annotated Code of Maryland
- 19 (1991 Replacement Volume and 1997 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 21 MARYLAND, That the Laws of Maryland read as follows:
- 22 Article Courts and Judicial Proceedings
- 23 4-301.
- 24 (b) Except as provided in § 4-302 of this subtitle, the District Court also has
- 25 exclusive original jurisdiction in a criminal case in which a person at least 18 years
- 26 old or a corporation is charged with:
- 27 (1) Commission of a common-law or statutory misdemeanor regardless
- 28 of the amount of money or value of the property involved;

HOUSE BILL 279



HOUSE BILL 279

1 Article - Family Law

- 2 9-305.
- If a child is under the age of 16 years, a relative who knows that another person 4 is the lawful custodian of the child may not:
- 5 (1) abduct, take, or carry away the child from the lawful custodian to a 6 place outside of this State;
- 7 (2) having acquired lawful possession of the child, detain the child 8 outside of this State for more than 48 hours after the lawful custodian demands that 9 the child be returned:
- 10 (3) harbor or hide the child outside of this State knowing that possession 11 of the child was obtained by another relative in violation of this section; or
- 12 (4) act as an accessory to an act prohibited by this section.
- 13 9-307.
- 14 (b) If the child is out of the custody of the lawful custodian for not more than 15 30 days, a person who violates any provision of § 9-305 of this subtitle is guilty of a 16 felony and on conviction is subject to a fine not exceeding \$250 or imprisonment not
- 17 exceeding 30 days, or both.
- 18 (c) If the child is out of the custody of the lawful custodian for more than 30
- 19 days, a person who violates any provision of § 9-305 of this subtitle is guilty of a
- 20 felony and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not
- 21 exceeding 1 year, or both.
- 22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 23 effect October 1, 1998.