

Department of Legislative Services  
Maryland General Assembly  
1999 Session

FISCAL NOTE

House Bill 209 (Chairman, Judiciary Committee)  
(Maryland Judicial Conference)

Judiciary

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Criminal Procedure - Search Warrants - Territorial Jurisdictional Limits

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This bill repeals the requirement that the place or thing to be searched pursuant to a search warrant be located within the territorial jurisdiction of the judge issuing the warrant.

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Fiscal Summary

**State Effect:** Efficiency savings for law enforcement. No effect on revenues.

**Local Effect:** Efficiency savings for law enforcement. No effect on revenues.

**Small Business Effect:** None.

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Fiscal Analysis

**Background:** Under current law, circuit court judges can only issue search warrants for property located within their own jurisdictions. In contrast, District Court judges can issue warrants for locations anywhere in the State. The bill would give circuit court judges and District Court judges equal power to issue search warrants.

**State Effect:** The bill would result in efficiency savings for the State Police, because it would provide for a larger selection of judges who can issue search warrants statewide. The bill would eliminate the problem that can currently occur when a circuit court judge is the “on call” judge after hours instead of a District Court judge. In that situation, officers seeking the issuance of a search warrant for a location outside their jurisdiction must travel to that jurisdiction to find a judge with proper authority, resulting in delay for all officers involved in the matter for which the warrant is sought.

**Local Effect:** Local law enforcement agencies would experience efficiency savings similar

to those experienced by State law enforcement agencies.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Office of the Public Defender, Department of State Police, Baltimore County Police Department, Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 1999

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