

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 949 (Delegate D. Murphv. *et al.*)

Judiciary

Unlawful Taking of Vehicle - Theft Offenses - Preclusion

This bill clarifies that prosecution of a person for the unlawful taking of a motor vehicle does not preclude prosecution of that person for theft of a motor vehicle. The bill also provides that if a person is convicted of both theft and the unlawful taking of a motor vehicle for the same act or transaction, the conviction for unlawful taking must merge for sentencing purposes into the conviction for theft.

Under current law: (1) the unlawful taking of a motor vehicle is a felony and subject to maximum penalties of a fine of \$5,000 and/or imprisonment of 5 years; (2) theft of property valued at \$300 or more is a felony and subject to maximum penalties of \$1,000 and/or 15 years; and (3) theft of property valued at under \$300 is a misdemeanor and subject to maximum penalties of \$500 and/or 18 months.

Fiscal Summary

State Effect: Minimal. The extent to which these changes may have an effect on charging practices, conviction rates, or sentences rendered cannot be reliably predicted. In any event, it is assumed that any additional incarcerations (or lengths of stay) resulting from this bill would be minimal.

Local Effect: Minimal.

Small Business Effect: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - March 7, 1999

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