

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 451 (Senator Jacobs. *et al.*)

Judicial Proceedings

Real Property - Abatement of Nuisance Actions - Municipal Corporation

This bill authorizes a municipal corporation within whose boundaries a nuisance occurs to bring an action for abatement of a nuisance caused by a controlled substance, a controlled dangerous substance, or controlled paraphernalia.

Fiscal Summary

State Effect: Assuming the number of cases brought is minimal, any increase in workload could be handled with the existing budgeted resources of the Judiciary.

Local Effect: Minimal.

Small Business Effect: None.

Analysis

Current Law: A community association, a State's Attorney, or a local county attorney or solicitor may bring an action in District Court for abatement of a nuisance caused by a controlled substance, a controlled dangerous substance, or controlled paraphernalia. Prevailing plaintiffs in a drug nuisance action are entitled to injunctive or other equitable relief, regardless of whether there is an adequate remedy at law. A court may order a tenant who knew of the nuisance to vacate the property within 72 hours and may order return of the premises to the landlord. A court may order an owner to submit a plan for

court approval to ensure that the property will not again be used for a nuisance. A court may award reasonable attorney's fees and court costs to a prevailing plaintiff that is a community

association.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), City of College Park, Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2000
nlr/jr

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