

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE
Revised

House Bill 70 (Delegate Getty)

Judiciary

Judicial Proceedings

District Court - Civil Jurisdiction - Dishonored Checks and Other Instruments

This bill provides that the District Court of Maryland has exclusive original civil jurisdiction in an action for damages for a dishonored check or other instrument, regardless of the amount in controversy.

If the amount in controversy in such a case exceeds \$25,000, the defendant is entitled to transfer the case from the District Court to circuit court.

Fiscal Summary

State Effect: The bill would not have a significant fiscal impact on the Judiciary.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In general, the District Court has exclusive original civil jurisdiction in an action in contract or tort if the debt or damages claimed do not exceed \$25,000, exclusive of prejudgment or postjudgment interest, costs, and attorney's fees. In addition, the Commercial Law Article provides that the holder of a check or other instrument that has been dishonored may seek damages in any District Court of the State 30 days after a notice of dishonor has been sent by mail to the last known address of the maker or drawer.

Additional Information

Prior Introductions: A similar bill was introduced during the 2000 session as HB 356. It passed both houses, but was vetoed by the Governor on the ground that insufficient evidence exists to warrant altering the current jurisdictional balance between the District Court and the circuit courts.

Cross File: None.

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

Fiscal Note History: First Reader – January 18, 2001
ncs/jr Revised – House Third Reader – March 22, 2001

Analysis by: Claire E. Rooney

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510