

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

Senate Bill 1 (The President)(Department of Legislative Services - Code Revision)

Judicial Proceedings

Judiciary

Criminal Procedure

This Code Revision bill adds a Criminal Procedure Article as a new article of the Annotated Code of Maryland. The bill revises, restates, and recodifies current laws relating to various criminal procedure matters such as law enforcement procedures, the arrest process, charging procedures and documents, pretrial procedures (including pretrial release), trial and sentencing procedures, the State Commission on Criminal Sentencing Policy, sentence review, the Uniform Post Conviction Procedure Act, the Criminal Justice Information System, extradition, expungement, victims' rights, the Criminal Injuries Compensation Board, the State Victims of Crime Fund, the State Board of Victim Services, the Victim and Witness Relocation Fund, the registration of certain offenders, and property forfeitures involved in controlled dangerous substance violations and gambling and gun law violations.

Fiscal Summary

State Effect: None. This bill recodifies specified existing laws without substantive change. Any changes to existing laws impinging upon substance are not expected to materially affect State operations or finances (see additional comments below). In addition, while some existing regulations relating to various State agencies may need to be revised, it is anticipated that this activity could be absorbed within each agency's existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: This bill revises, restates, and recodifies current laws relating to various criminal procedure matters.

Background: The Criminal Procedure Article is a product of the continuing revision of the Annotated Code of Maryland by the legal staff of the Office of Policy Analysis, Department of Legislative Services. The first revised articles were enacted at the First Extraordinary Session of 1973. To date, 25 other revised articles have become law: Agriculture, Business Occupations and Professions, Business Regulation, Commercial Law, Corporations and Associations, Correctional Services, Courts and Judicial Proceedings, Education, Estates and Trusts, Family Law, Financial Institutions, Health - Environmental (now Environment), Health - General, Health Occupations, Insurance, Labor and Employment, Natural Resources, Public Utility Companies, Real Property, State Finance and Procurement, State Government, State Personnel and Pensions, Tax - General, Tax - Property, and Transportation. The basic thrust of the revision is formal; the primary purposes of the work are modernization and clarification, not policymaking.

Additional Comments: A revision sometimes must touch on the substance of the law. Every effort is made to ensure that a proposed revision conforms as nearly as possible to the intent of the General Assembly, and all of these revisions are highlighted in the appropriate revisor's notes. In other instances, the staff and the Article Review Committee have used revisor's notes to call to the attention of the General Assembly fundamental policy issues that are beyond the purview of the revision process.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services, Judiciary (Administrative Office of the Courts), Public Defender's Office, Department of State Police, Maryland State's Attorneys' Association

Fiscal Note History: First Reader – January 18, 2001
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