

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

House Bill 327 (Delegate Montague, *et al.*)
Judiciary

Community Compensation for Community Impact Offenses Act

This bill provides that a person who commits a “community impact offense” within the boundaries of a community association is civilly liable to the community association for \$5,000 to \$25,000 for a first finding of liability and for \$10,000 and \$25,000 for a second or subsequent finding of liability. A court may also award costs and reasonable attorney’s fees to a community association that prevails in an action brought pursuant to the bill. “Community impact offense” is defined as a prostitution, firearms, or drug offense that does not occur in a building. The District Court has exclusive original civil jurisdiction in a proceeding brought pursuant to the bill.

The bill applies only to offenses occurring on or after the bill’s October 1, 2001 effective date.

Fiscal Summary

State Effect: It is expected that any workload increase for the District Court could be handled using existing budgeted resources.

Local Effect: None.

Small Business Effect: Potential meaningful. Community associations could benefit from civil penalties received pursuant to the bill.

Analysis

Current Law: None applicable.

Background: The bill states that certain criminal activity, specifically the purchase and sale of drugs, the carrying of illegal firearms, and prostitution as they occur within the boundaries of residential communities, can diminish the property values and quality of life in the communities, damaging the residents of the communities, the business and property owners in the communities, and the community associations that serve them. The bill states the intent of the General Assembly to hold persons who engage in such criminal activity within the boundaries of a residential community financially liable to communities as represented by their community associations and to deter persons from engaging in such criminal activity.

State Fiscal Effect: The number of civil actions that would be filed by community associations pursuant to the bill cannot be reliably estimated, but is not expected to be significant.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader – February 8, 2001
ef/jr

Analysis by: Claire Rooney

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