

Department of Legislative Services  
Maryland General Assembly  
2002 Session

FISCAL NOTE  
Revised

House Bill 1010

(Delegate Finifter, *et al.*)

Judiciary

Judicial Proceedings

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Juvenile Law - Prohibition Against Possession of Portable Pagers on School  
Property - Repeal in Baltimore County

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This bill repeals the prohibition on the possession of portable pagers on public school property in Baltimore County. The bill declares that it is the intent of the General Assembly that the Baltimore County Board of Education work with the Maryland State Department of Education to develop a policy regarding the use of portable pagers and cellular telephones on school property.

The bill is effective July 1, 2002.

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Fiscal Summary

**State Effect:** Any decrease in State law enforcement activities and District Court cases would not materially affect State finances.

**Local Effect:** Any decrease in local law enforcement activities or Baltimore County Circuit Court cases would not materially affect local finances. The Baltimore County Board of Education could establish new rules for the possession of portable pagers on public school property with existing resources.

**Small Business Effect:** None.

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Analysis

**Current Law:** It is a crime for an individual to possess a portable pager on public school property in Baltimore County. Persons convicted of this offense are guilty of a

misdemeanor and may be fined up to \$2,500, imprisoned for up to six months, or both. Specified individuals, including school staff and authorized visitors, are exempt from the prohibition.

The prohibition also exists in Baltimore City and Caroline, Dorchester, Somerset, Talbot, Wicomico, and Worcester counties.

**Background:** Chapter 592 of 1989 made the possession of portable pagers on school property a crime. The dominant perception at the time linked portable pagers to drug trafficking. The Maryland Association of Boards of Education and the Maryland State Department of Education testified in favor of the 1989 bill on the grounds that it would reduce drug distribution in schools. More than a decade later, pagers are commonly used for legitimate activities and are no longer perceived as tools used only by drug dealers. Chapter 637 of 2001 legalized the possession of pagers at public schools in 16 counties.

**Local Fiscal Effect:** Each local board of education has the authority to adopt rules for public schools within its jurisdiction. If the bill passes, carrying pagers on public school property would no longer be a violation of State law in Baltimore County. However, the Board of Education would be encouraged to adopt local restrictions on the possession and use of portable pagers on public school property. It is assumed that any new regulations could be drafted, adopted, and enforced with existing budgeted resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore County, Department of Legislative Services

**Fiscal Note History:** First Reader - February 21, 2002  
mld/cer Revised - Enrolled Bill - April 30, 2002

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