

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

House Bill 202 (Chairman, Judiciary Committee and Delegate Grosfeld)

Judiciary

Judicial Proceedings

Criminal Law - Criminal Penalties - Wharves and Transfer Tickets

This bill delineates the penalties for interfering with or damaging a public wharf or landing or for violating the prohibition against giving or getting an unauthorized passenger transfer ticket. Specifically, the bill establishes a maximum fine of \$500, and reduces the maximum imprisonment from 6 months to 90 days, or subsequent violations of prohibitions against fraud relating to unauthorized carrier transfer tickets, and eliminates minimum monetary penalties relating to those offenses and for damaging or interfering with the use of a public wharf or landing.

Fiscal Summary

State Effect: The bill's corrective changes are not expected to significantly affect the operations or finances of public agencies engaged in the enforcement or prosecution of criminal laws relating to wharves, landings, or passenger transfer tickets.

Local Effect: Minimal. Any decreases in incarceration costs for local correctional facilities are not expected to be significant.

Small Business Effect: None.

Analysis

Current Law: There is no maximum fine for subsequent violations of prohibitions against fraud relating to unauthorized carrier transfer tickets. A person who violates these provisions is guilty of a misdemeanor and, for a first offense, is subject to a minimum fine of \$10 and a maximum fine of \$100. For each subsequent violation, a

person is subject to maximum imprisonment of six months and/or a minimum fine of \$100.

Damaging or interfering with the use of a public wharf or landing is a misdemeanor carrying a minimum penalty of a \$25 fine.

Background: This bill is the result of the work of the Criminal Law Article Code Revision Committee. While revising the criminal laws, the committee encountered issues that were not appropriate for inclusion in the code revision bill because they involved substantive changes to the law. In the reviser's notes to HB 11, the Criminal Law Article code revision bill, the committee recommended that the General Assembly address these issues. This is one of several bills resulting from these recommendations.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Natural Resources, Criminal Law Article Review Committee, Department of Legislative Services

Fiscal Note History: First Reader - January 24, 2002
ncs/cer Revised - House Third Reader - March 14, 2002

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