

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE

House Bill 197
Judiciary

(Chairman, Judiciary Committee and Delegate Grosfeld)

Judicial Proceedings

Criminal Law - Bad Checks - Definition of Service

This bill specifies that, with regard to making or passing bad checks, “service” includes the use of computers, data processing, or other equipment.

Fiscal Summary

State Effect: The bill’s changes are not expected to materially affect State operations or finances.

Local Effect: The bill’s changes are not expected to materially affect local operations or finances.

Small Business Effect: None.

Analysis

Current Law: For purposes of the criminal law provisions relating to making or passing bad checks, “service” is defined to include labor, professional, telecommunications, public utilities, toll facilities, transportation, lodging, entertainment, or restaurant service.

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 revisor’s notes to House Bill 11, the bill creating the new Criminal Law Article, the committee recommended that the General

Assembly address these issues. This is one of several bills resulting from these recommendations.

The committee noted that the definition of “service” contained in the bad check provisions is similar but not identical to the definition included in provisions dealing with other theft and fraud crimes. To ensure consistency in the treatment of theft and fraud crimes, the committee recommended that the definition for service contained in the bad check provisions be amended as proposed by this bill to conform it to the definition of service applicable to other theft and fraud offenses.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Public Safety and Correctional Services,
Department of Legislative Services

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