

**Department of Legislative Services**  
Maryland General Assembly  
2002 Session

**FISCAL NOTE**

House Bill 419 (Delegates Gaines and Vallario)  
Judiciary

Judicial Proceedings

---

**Criminal Procedure - Distribution of Noncontrolled Substance - Jurisdiction of Trial Courts**

---

This bill provides concurrent jurisdiction for the circuit courts and the District Court of Maryland over the felony offense of distributing, attempting to distribute, or possessing with intent to distribute a faked controlled dangerous substance.

---

**Fiscal Summary**

**State Effect:** The bill would not result in any significant foreseeable fiscal or operational impact to the courts.

**Local Effect:** None -- see above.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** With certain exceptions, the District Court does not have jurisdiction over a criminal case charging the commission of a felony.

A person may not distribute, attempt to distribute, or possess with intent to distribute a noncontrolled substance that the person represents as a controlled dangerous substance. A violator is guilty of a felony and, upon conviction, is subject to a maximum fine of \$15,000 and/or a maximum term of imprisonment of five years. A criminal case charging the commission of this crime is within the jurisdiction of the circuit court.

---

## **Additional Information**

**Prior Introductions:** HB 176 of 2001 passed the House and the Senate with amendments. A motion to reconsider the third reading and special order were adopted by the Senate, but no further action was taken.

**Cross File:** None.

**Information Source(s):** Judiciary (District Court of Maryland), Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 6, 2002  
mam/cer

---

Analysis by: Debra A. Dickstein

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