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Section 6-101

2003 Regular Session 3lr0757 CF 3lr0756

By: Chairman, Judicial Proceedings Committee (Maryland Judicial Conference)

Introduced and read first time: January 31, 2003

Assigned to: Judicial Proceedings

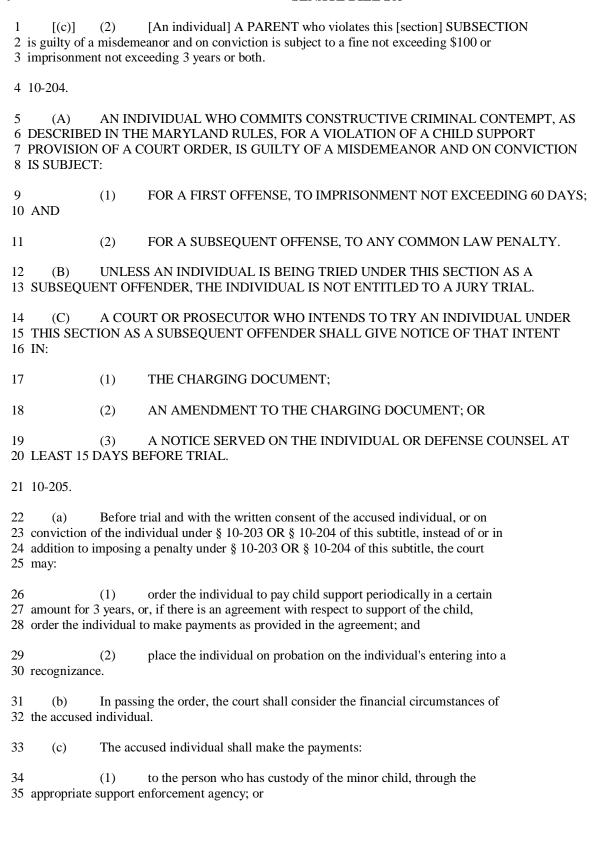
	A BILL ENTITLED
1	AN ACT concerning
2 3	Family Law - Desertion and Nonsupport of Child - Jurisdiction, Enforcement, and Penalties
4 5 6 7 8 9 10 11 12 13 14 15 16	providing for the application of this Act; and generally relating to child support
18 19 20 21 22 23 24 25 26	Section 10-204, 10-205, 10-206, 10-207, 10-208, and 10-209, respectively to be Section 10-205, 10-206, 10-207, 10-208, 10-209, and 10-210, respectively Annotated Code of Maryland (1999 Replacement Volume and 2002 Supplement)  BY repealing and reenacting, with amendments, Article - Courts and Judicial Proceedings Section 4-302(f) Annotated Code of Maryland
27 28 29	(2002 Replacement Volume)  BY repealing and reenacting, with amendments, Article - Criminal Procedure

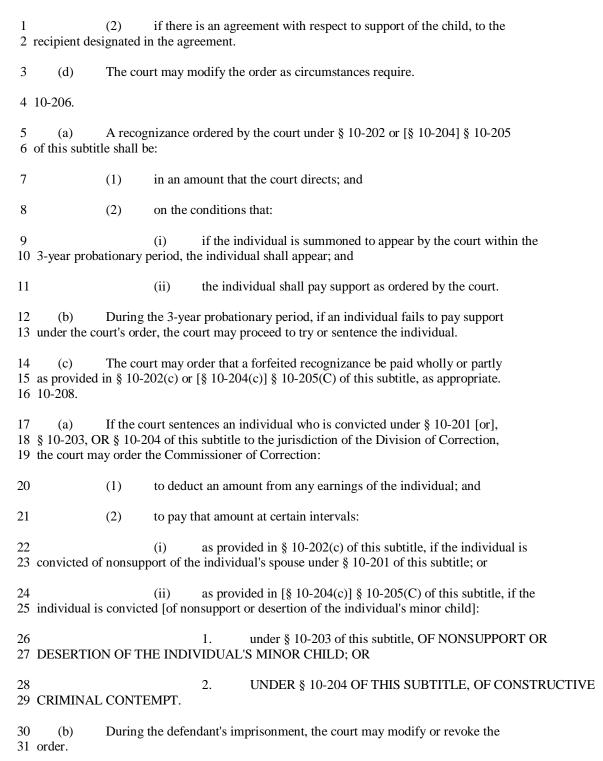
1 2	Annotated Code of Maryland (2001 Volume and 2002 Supplement)					
3 4 5 6 7	BY repealing and reenacting, with amendments, Article - Family Law Section 10-203 and 10-215(b) Annotated Code of Maryland (1999 Replacement Volume and 2002 Supplement)					
8 9 10 11 12 13	Section 10-205, 10-206, and 10-208 Annotated Code of Maryland (1999 Replacement Volume and 2002 Supplement)					
14 15 16 17 18	6 Section 10-204 7 Annotated Code of Maryland					
21 22	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 10-204, 10-205, 10-206, 10-207, 10-208, and 10-209, respectively of Article - Family Law of the Annotated Code of Maryland be renumbered to be Section(s) 10-205, 10-206, 10-207, 10-208, 10-209, and 10-210, respectively.					
24 25	SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:					
26	Article - Courts and Judicial Proceedings					
27	4-302.					
	8 (f) (1) Except as provided in Title 4, Subtitle 5 of the Family Law Article, 9 the District Court does not have jurisdiction of an offense otherwise within the 0 District Court's jurisdiction if a person is charged:					
31 32	(i) With another offense arising out of the same circumstances but not within the District Court's jurisdiction; [or]					
	(ii) In the circuit court with an offense arising out of the same circumstances and within the concurrent jurisdictions of the District Court and the circuit court described under subsection (d) of this section; OR					
36	(III) UNDER § 10-203 OR § 10-204 OF THE FAMILY LAW ARTICLE.					

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1 2	circuit court	(2) for the co		ses described under paragraph (1) of this subsection, the exclusive original jurisdiction over all the offenses.			
3	Article - Criminal Procedure						
4	6-101.						
5 6	(A) In a criminal case tried in a court of general jurisdiction, there is [no] A right to a jury trial [unless] ONLY IF:						
7		(1)	the crim	e charged is subject to a penalty of imprisonment; or			
8		(2)	there is a	a constitutional right to a jury trial for the crime.			
	(B) NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THERE IS NO RIGHT TO A JURY TRIAL IF A PERSON IS CHARGED UNDER § 10-203(A) OR § 10-204(A) OF THE FAMILY LAW ARTICLE FOR A FIRST OFFENSE.						
12				Article - Family Law			
13	10-203.						
14 15	(a) minor child.	(1)	A parent	may not willfully fail to provide for the support of his or her			
16 17		(2) ANOR A		ENT WHO VIOLATES THIS SUBSECTION IS GUILTY OF A CONVICTION IS SUBJECT:			
18 19	DAYS; ANI	D	(I)	FOR A FIRST OFFENSE, TO IMPRISONMENT NOT EXCEEDING 60			
20 21		ONMEN		FOR A SUBSEQUENT OFFENSE, TO A FINE NOT EXCEEDING \$100 EXCEEDING 3 YEARS OR BOTH.			
22 23	SUBSEQUE	(3) ENT OFF		S A PARENT IS BEING TRIED UNDER THIS SUBSECTION AS A THE PARENT IS NOT ENTITLED TO A JURY TRIAL.			
24 25	SUBSECTION	(4) ON AS A		ECUTOR WHO INTENDS TO TRY A PARENT UNDER THIS QUENT OFFENDER SHALL GIVE NOTICE OF THAT INTENT IN:			
26			(I)	THE CHARGING DOCUMENT;			
27			(II)	AN AMENDMENT TO THE CHARGING DOCUMENT; OR			
28 29	AT LEAST	15 DAY	(III) S BEFOR	A NOTICE SERVED ON THE PARENT OR THE PARENT'S COUNSEL E TRIAL.			
30	(b)	(1)	A parent	may not desert his or her minor child.			

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- 1 10-215.
- 2 (b) After an information is filed and before trial, the court, with the written
- 3 consent of the accused individual, may pass an order under § 10-202 or [§ 10-204] §
- 4 10-205 of this subtitle.
- 5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply only 6 to cases filed on or after the effective date of this Act.
- 7 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 8 October 1, 2003.