

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

Senate Bill 400 (Senator Giannetti)
Judicial Proceedings

Judiciary

**Criminal Procedure - Counterfeiting, Forgery, and Credit Card Offenses -
Concurrent Jurisdiction of Trial Courts**

This bill provides that the District Court and circuit courts have concurrent jurisdiction in felony and misdemeanor cases involving counterfeiting, forgery, and credit card offenses.

Fiscal Summary

State Effect: Any increase in caseload for the District Court could be handled with existing budgeted resources. Revenues would not be materially affected.

Local Effect: The bill would not have a significant effect on circuit court operations or finances.

Small Business Effect: None.

Analysis

Current Law: With certain exceptions, the District Court has jurisdiction over common law and statutory misdemeanor cases regardless of the amount of money or value of the property involved.

With certain exceptions, the District Court does not have jurisdiction to try a criminal case charging the commission of a felony. Felony cases are generally within the jurisdiction of the circuit courts.

The jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case in which the penalty may be confinement for three years or more or a fine of \$2,500 or more, or which is a specified felony.

State Fiscal Effect: This bill could result in a shift in cases from the circuit courts to the District Court. The magnitude of such a shift cannot be precisely estimated at this time, but is not expected to be significant.

Additional Information

Prior Introductions: A similar bill, HB 526 of 2002, passed the House with amendments. It was scheduled for a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. HB 706 of 2001, which was identical to HB 526 of 2002, passed the House with amendments and passed the Senate on second reading with amendments, but no further action was taken.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 7, 2003
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