
By: **Prince George's County Delegation**

Introduced and read first time: February 9, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Additional Fine for Auto Theft Convictions - Auto**
3 **Theft and Vandalism Prevention Task Force**
4 **PG 309-06**

5 FOR the purpose of requiring a court to impose an additional fine for convictions for
6 certain motor vehicle theft crimes in Prince George's County; requiring the
7 Clerk of the District Court or Circuit Court for Prince George's County to collect
8 and deposit the money with the county's Office of Finance; requiring the office to
9 maintain the money in a special fund; requiring that the fund only be used by
10 the Prince George's County Auto Theft and Vandalism Prevention Task Force to
11 reduce the incidence of motor vehicle theft and vandalism in the county; and
12 generally relating to motor vehicle theft and vandalism in Prince George's
13 County.

14 BY repealing and reenacting, with amendments,
15 Article - Courts and Judicial Proceedings
16 Section 7-409
17 Annotated Code of Maryland
18 (2002 Replacement Volume and 2005 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Courts and Judicial Proceedings**

22 7-409.

23 (a) (1) In this section the following words have the meanings indicated.

24 (2) "Crime" means an act committed by a person in the State that is:

25 (i) A crime under Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4-123.1
26 of the Agriculture Article;

- 1 (ii) A crime under Title 19, Subtitle 2 or Subtitle 3 of the Business
2 Regulation Article;
- 3 (iii) A crime under Title 14, Subtitle 29, § 11-810, or § 14-1317 of
4 the Commercial Law Article;
- 5 (iv) A crime under § 3-218, § 3-305(c)(2), § 3-409(a) or (c), §
6 3-803(b), § 3-807(i), § 3-808(d), § 3-811(c), § 8-801, § 8-802, § 9-602(e), §
7 11-702(d)(8), § 11-703(e)(5)(iii), § 11-708(b)(8)(ii), § 11-711(h)(2), § 11-712(c)(6)(ii), §
8 11-715(g)(2), § 11-716(h)(2), § 11-723(b)(8), or § 11-726 of the Correctional Services
9 Article;
- 10 (v) A crime under the Criminal Law Article other than Title 8,
11 Subtitle 2, Part II or § 10-614;
- 12 (vi) A crime under the Criminal Procedure Article;
- 13 (vii) A crime under Title 5, Subtitle 10A of the Environment Article;
- 14 (viii) A crime under § 5-503 of the Family Law Article;
- 15 (ix) A crime under Title 12, Subtitle 9 of the Financial Institutions
16 Article;
- 17 (x) A crime under Title 20, Subtitle 7 or § 21-259.1 of the Health -
18 General Article;
- 19 (xi) A crime under § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, §
20 8-726.1, § 8-738.1, § 8-740.1, or § 10-411(b), as it relates to Harford County, or (d), as
21 it relates to Anne Arundel County or Caroline County, of the Natural Resources
22 Article;
- 23 (xii) A crime under Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle
24 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6-602, § 7-402, or § 12-701 of the Public
25 Safety Article;
- 26 (xiii) A crime under § 14-127 of the Real Property Article;
- 27 (xiv) A violation of the Transportation Article that is punishable by
28 imprisonment;
- 29 (xv) A crime under Article 2B, Title 22 or § 18-104 of the Code;
- 30 (xvi) A crime under Article 24, § 11-512, § 11-513, or § 11-514 of the
31 Code;
- 32 (xvii) A crime under Chapter 110-1 of the Code of Public Local Laws
33 of Caroline County;
- 34 (xviii) A crime under § 4-103 of the Code of Public Local Laws of
35 Carroll County;

1 (xix) A crime under § 8A-1 of the Code of Public Local Laws of Talbot
2 County; or

3 (xx) A crime at common law.

4 (3) "Offense" means a violation of the Transportation Article that is not
5 punishable by imprisonment.

6 (b) In addition to any other costs required by law, a circuit court shall impose
7 on a defendant convicted of a crime an additional cost of \$45 in the case.

8 (c) In addition to any other costs required by law, the District Court shall
9 impose on a defendant convicted of a crime an additional cost of \$35 in the case.

10 (d) In addition to any other costs required by law, a court shall impose on a
11 defendant convicted of an offense an additional cost of \$3 in the case, including cases
12 in which the defendant elects to waive the right to trial and pay the fine or penalty
13 deposit established by the Chief Judge of the District Court by administrative
14 regulation.

15 (E) IN ADDITION TO ANY OTHER COSTS REQUIRED BY LAW, A COURT IN
16 PRINCE GEORGE'S COUNTY SHALL IMPOSE ON A DEFENDANT AN ADDITIONAL FINE
17 OF \$50 IF THE DEFENDANT IS CONVICTED OF A CRIME UNDER § 3-405 OR § 7-105 OF
18 THE CRIMINAL LAW ARTICLE OR, FOR THEFT OF A MOTOR VEHICLE WITH A VALUE OF
19 \$500 OR MORE, § 7-104 OF THE CRIMINAL LAW ARTICLE.

20 [(e)] (F) (1) [All] EXCEPT FOR THE MONEY COLLECTED UNDER
21 SUBSECTION (E) OF THIS SECTION, ALL money collected under this section shall be
22 paid to the Comptroller of the State.

23 (2) The Comptroller shall deposit \$22.50 from each fee collected under
24 subsection (b) of this section from a circuit court and \$12.50 from each fee collected
25 under subsection (c) of this section from the District Court into the State Victims of
26 Crime Fund established under § 11-916 of the Criminal Procedure Article.

27 (3) The Comptroller shall deposit \$2.50 from each fee collected under
28 subsections (b) and (c) of this section into the Victim and Witness Protection and
29 Relocation Fund established under § 11-905 of the Criminal Procedure Article.

30 (4) The Comptroller shall deposit all other moneys collected under
31 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
32 established under § 11-819 of the Criminal Procedure Article.

33 [(f)] (G) (1) From the first \$500,000 in fees collected under subsection (d) of
34 this section in each fiscal year, the Comptroller shall deposit one-half of each fee into
35 the State Victims of Crime Fund and one-half of each fee into the Criminal Injuries
36 Compensation Fund.

1 (2) For fees collected under subsection (d) of this section in excess of
2 \$500,000 in each fiscal year, the Comptroller shall deposit the entire fee into the
3 Criminal Injuries Compensation Fund.

4 (H) (1) THE CLERK OF THE DISTRICT COURT OR THE CIRCUIT COURT FOR
5 PRINCE GEORGE'S COUNTY SHALL COLLECT AND DEPOSIT ALL FINES IMPOSED
6 UNDER SUBSECTION (E) OF THIS SECTION WITH THE PRINCE GEORGE'S COUNTY
7 OFFICE OF FINANCE.

8 (2) THE OFFICE OF FINANCE SHALL MAINTAIN THE MONEY IN A
9 SPECIAL FUND KNOWN AS THE PRINCE GEORGE'S COUNTY AUTO THEFT AND
10 VANDALISM PREVENTION TASK FORCE FUND.

11 (3) THE FUND MAY ONLY BE USED BY THE AUTO THEFT AND
12 VANDALISM PREVENTION TASK FORCE ESTABLISHED BY THE COUNTY EXECUTIVE
13 OF PRINCE GEORGE'S COUNTY TO REDUCE THE INCIDENCE OF MOTOR VEHICLE
14 THEFT AND VANDALISM IN THE COUNTY.

15 [(g)] (I) A political subdivision may not be held liable under any condition for
16 the payment of sums under this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2006.