
By: **Senators Conway, Exum, Gladden, Hughes, Jones, Lawlah, and
McFadden**

Introduced and read first time: February 10, 2006

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Crime Stoppers Trust Fund**

3 FOR the purpose of altering certain court costs for certain individuals convicted of
4 criminal offenses; establishing the Crime Stoppers Trust Fund; requiring the
5 Comptroller to deposit a certain amount of certain court costs in the Fund;
6 providing that a certain clerk of the court may retain a certain amount of certain
7 court costs; requiring the State Treasurer to hold the Fund separately;
8 specifying the purposes of the Fund; providing for the sources of the Fund;
9 requiring that the revenue from the Fund be used for certain purposes;
10 authorizing the State Treasurer to invest money in the Fund in a certain
11 manner; requiring that certain investment earnings of the Fund be deposited
12 into the Fund; providing that money for the Fund is supplemental; requiring the
13 Department of Public Safety and Correctional Services to apply for certain
14 grants for additional funding; requiring the Department to deposit revenue for
15 the Fund in a certain manner; authorizing certain counties to receive grants
16 from the Fund; requiring the Department to adopt certain regulations; defining
17 certain terms; and generally relating to the Crime Stoppers Trust Fund.

18 BY repealing and reenacting, with amendments,
19 Article - Courts and Judicial Proceedings
20 Section 7-409
21 Annotated Code of Maryland
22 (2002 Replacement Volume and 2005 Supplement)

23 BY adding to
24 Article - Criminal Procedure
25 Section 11-1101 through 11-1104, inclusive, to be under the new subtitle
26 "Subtitle 11. Crime Stoppers Trust Fund"
27 Annotated Code of Maryland
28 (2001 Volume and 2005 Supplement)

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

1 **Article - Courts and Judicial Proceedings**

2 7-409.

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

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

5 (i) A crime under Title 1, Subtitle 3, Title 3, Subtitle 7, or § 4-123.1
6 of the Agriculture Article;7 (ii) A crime under Title 19, Subtitle 2 or Subtitle 3 of the Business
8 Regulation Article;9 (iii) A crime under Title 14, Subtitle 29, § 11-810, or § 14-1317 of
10 the Commercial Law Article;11 (iv) A crime under § 3-218, § 3-305(c)(2), § 3-409(a) or (c), §
12 3-803(b), § 3-807(i), § 3-808(d), § 3-811(c), § 8-801, § 8-802, § 9-602(e), §
13 11-702(d)(8), § 11-703(e)(5)(iii), § 11-708(b)(8)(ii), § 11-711(h)(2), § 11-712(c)(6)(ii), §
14 11-715(g)(2), § 11-716(h)(2), § 11-723(b)(8), or § 11-726 of the Correctional Services
15 Article;16 (v) A crime under the Criminal Law Article other than Title 8,
17 Subtitle 2, Part II or § 10-614;

18 (vi) A crime under the Criminal Procedure Article;

19 (vii) A crime under Title 5, Subtitle 10A of the Environment Article;

20 (viii) A crime under § 5-503 of the Family Law Article;

21 (ix) A crime under Title 12, Subtitle 9 of the Financial Institutions
22 Article;23 (x) A crime under Title 20, Subtitle 7 or § 21-259.1 of the Health -
24 General Article;25 (xi) A crime under § 8-713.1, § 8-724.1, § 8-725.5, § 8-725.6, §
26 8-726.1, § 8-738.1, § 8-740.1, or § 10-411(b), as it relates to Harford County, or (d), as
27 it relates to Anne Arundel County or Caroline County, of the Natural Resources
28 Article;29 (xii) A crime under Title 3, Subtitle 1 or Subtitle 5, Title 5, Subtitle
30 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6-602, § 7-402, or § 12-701 of the Public
31 Safety Article;

32 (xiii) A crime under § 14-127 of the Real Property Article;

33 (xiv) A violation of the Transportation Article that is punishable by
34 imprisonment;

- 1 (xv) A crime under Article 2B, Title 22 or § 18-104 of the Code;
- 2 (xvi) A crime under Article 24, § 11-512, § 11-513, or § 11-514 of the
3 Code;
- 4 (xvii) A crime under Chapter 110-1 of the Code of Public Local Laws
5 of Caroline County;
- 6 (xviii) A crime under § 4-103 of the Code of Public Local Laws of
7 Carroll County;
- 8 (xix) A crime under § 8A-1 of the Code of Public Local Laws of Talbot
9 County; or
- 10 (xx) A crime at common law.

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

13 (b) In addition to any other costs required by law, a circuit court shall impose
14 on a defendant convicted of a crime an additional cost of [~~\$45~~] \$65 in the case.

15 (c) In addition to any other costs required by law, the District Court shall
16 impose on a defendant convicted of a crime an additional cost of [~~\$35~~] \$55 in the case.

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

22 (e) (1) All money collected under this section shall be paid to the
23 Comptroller of the State.

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

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

31 (4) THE COMPTROLLER SHALL DEPOSIT \$17 FROM EACH FEE
32 COLLECTED UNDER SUBSECTIONS (B) AND (C) OF THIS SECTION INTO THE CRIME
33 STOPPERS TRUST FUND ESTABLISHED UNDER § 11-1102 OF THE CRIMINAL
34 PROCEDURE ARTICLE.

35 (5) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THE
36 CLERK OF THE COURT COLLECTING THE FEE REQUIRED BY SUBSECTIONS (B) AND (C)

1 OF THIS SECTION MAY RETAIN \$3 FROM EACH FEE COLLECTED UNDER SUBSECTIONS
2 (B) AND (C) OF THIS SECTION.

3 [(4)] (6) The Comptroller shall deposit all other moneys collected under
4 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
5 established under § 11-819 of the Criminal Procedure Article.

6 (f) (1) From the first \$500,000 in fees collected under subsection (d) of this
7 section in each fiscal year, the Comptroller shall deposit one-half of each fee into the
8 State Victims of Crime Fund and one-half of each fee into the Criminal Injuries
9 Compensation Fund.

10 (2) For fees collected under subsection (d) of this section in excess of
11 \$500,000 in each fiscal year, the Comptroller shall deposit the entire fee into the
12 Criminal Injuries Compensation Fund.

13 (g) A political subdivision may not be held liable under any condition for the
14 payment of sums under this section.

15 **Article - Criminal Procedure**

16 **SUBTITLE 11. CRIME STOPPERS TRUST FUND.**

17 11-1101.

18 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
19 INDICATED.

20 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND
21 CORRECTIONAL SERVICES.

22 (C) "FUND" MEANS THE CRIME STOPPERS TRUST FUND.

23 (D) "UNITS OF LOCAL GOVERNMENT" MEANS A UNIT OF A COUNTY OR
24 MUNICIPAL CORPORATION.

25 (E) "CRIME STOPPER PROGRAMS" MEANS THE INCORPORATED CRIME
26 STOPPERS, CRIME SOLVERS, AND OTHER SIMILAR INCORPORATED TIPS PROGRAMS
27 THAT WORK TO REDUCE CRIME IN THE STATE.

28 11-1102.

29 (A) THERE IS A CRIME STOPPERS TRUST FUND.

30 (B) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR CRIME
31 STOPPER PROGRAMS.

32 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

1 (D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT
2 TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

3 (2) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE
4 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

5 (E) THE FUND CONSISTS OF:

6 (1) REVENUE DISTRIBUTED TO THE FUND UNDER § 7-409 OF THE
7 COURTS ARTICLE;

8 (2) ANY INVESTMENT EARNINGS OF THE FUND; AND

9 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE
10 BENEFIT OF THE FUND.

11 (F) THE FUND MAY BE USED ONLY FOR FUNDING ELIGIBLE CRIME STOPPER
12 PROGRAMS.

13 (G) (1) THE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE
14 SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

15 (2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED TO
16 THE FUND.

17 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
18 WITH THE STATE BUDGET.

19 (I) MONEY EXPENDED FROM THE FUND FOR CRIME STOPPER PROGRAMS IS
20 SUPPLEMENTAL AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT
21 OTHERWISE WOULD BE APPROPRIATED FOR CRIME STOPPER PROGRAMS.

22 11-1103.

23 (A) THE DEPARTMENT SHALL:

24 (1) SUBMIT APPLICATIONS FOR ANY FEDERAL, STATE, OR PRIVATE
25 GRANTS THAT MEET THE PURPOSES OF ADVANCING CRIME STOPPER PROGRAMS;
26 AND

27 (2) DEPOSIT IN THE CRIME STOPPERS TRUST FUND ANY REVENUE
28 RECEIVED FROM GRANTS.

29 (B) (1) REVENUE DISTRIBUTED TO THE FUND FROM THE ADDITIONAL
30 COURT COSTS COLLECTED FROM A DEFENDANT UNDER § 7-409 OF THE COURTS
31 ARTICLE SHALL BE DEPOSITED IN SEPARATE ACCOUNTS IN THE FUND AND SHALL
32 BE DESIGNATED ACCORDING TO THE JUDICIAL CIRCUIT IN WHICH THEY WERE
33 COLLECTED.

34 (2) THE REVENUE IN THE ACCOUNT SHALL BE USED AS PROVIDED IN §
35 11-1102(D) OF THIS SUBTITLE.

1 (C) THE DEPARTMENT SHALL ADMINISTER THE DISTRIBUTION OF FUNDING
2 TO UNITS OF LOCAL GOVERNMENT THAT APPLY FOR FUNDING ASSISTANCE FROM
3 THE FUND.

4 (D) (1) ANY COUNTY MAY APPLY TO THE DEPARTMENT FOR A GRANT FROM
5 THE FUNDS COLLECTED UNDER § 7-409 OF THE COURTS ARTICLE IN THE JUDICIAL
6 CIRCUIT IN WHICH THE COUNTY IS LOCATED.

7 (2) A GRANT MAY BE AWARDED ONLY TO A COUNTY THAT IS SERVED BY
8 AN OFFICIAL MEMBER OF THE MARYLAND CRIME STOPPERS AND MAY ONLY BE
9 USED TO SUPPORT CRIME STOPPER PROGRAMS.

10 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
11 DEPARTMENT SHALL AWARD GRANTS TO AN ELIGIBLE COUNTY FROM AVAILABLE
12 FUNDS.

13 (II) WHERE MORE THAN ONE COUNTY WITHIN THE SAME JUDICIAL
14 CIRCUIT IS ELIGIBLE, THE DEPARTMENT SHALL DISTRIBUTE THESE FUNDS IN AN
15 EQUITABLE MANNER BASED ON THE AMOUNT OF REVENUE COLLECTED WITHIN
16 EACH COUNTY.

17 (4) WITHIN A COUNTY, ONLY ONE OFFICIAL MEMBER OF THE
18 MARYLAND CRIME STOPPERS IS ELIGIBLE TO RECEIVE A GRANT.

19 (5) IN ORDER TO AID THE DEPARTMENT IN DETERMINING ELIGIBILITY,
20 THE SECRETARY OF THE MARYLAND CRIME STOPPERS SHALL FURNISH THE
21 DEPARTMENT WITH A LIST OF MEMBERS.

22 11-1104.

23 (A) THE DEPARTMENT SHALL ADOPT AND ENFORCE REGULATIONS TO CARRY
24 OUT THIS SUBTITLE.

25 (B) THE REGULATIONS SHALL INCLUDE:

26 (1) CRITERIA EXPLAINING HOW ELIGIBLE LOCAL GOVERNMENTS MAY
27 APPLY FOR FUNDING FROM THE FUND;

28 (2) CRITERIA FOR THE EQUITABLE DISTRIBUTION OF AVAILABLE FUNDS
29 IN ACCORDANCE WITH § 11-1103(D)(4) OF THIS SUBTITLE;

30 (3) PROVISIONS SPECIFYING THAT ANY UNUSED FUNDS SHALL BE
31 RETURNED TO THE DEPARTMENT AND REDEPOSITED IN THE FUND; AND

32 (4) PROVISIONS PROVIDING FOR THE COORDINATION BETWEEN THE
33 DEPARTMENT AND APPROPRIATE GOVERNMENT AGENCIES TO SUPPORT AND
34 ENHANCE EFFORTS TO TRAIN THE PUBLIC IN CRIME PREVENTION METHODS AND
35 PERSONAL SAFETY PRINCIPLES, PARTICULARLY IN HIGH CRIME AREAS.

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