

SENATE BILL 536

R3, E4

8lr2423
CF HB 1285

By: **Chair, Budget and Taxation Committee**

Introduced and read first time: February 1, 2008

Assigned to: Budget and Taxation and Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 12, 2008

CHAPTER _____

1 AN ACT concerning

2 **Drinking Driver Monitor Program – Fee**

3 FOR the purpose of altering a certain fee assessed for the Drinking Driver Monitor
4 Program; authorizing a court to exempt a supervisee from the fee under certain
5 circumstances; repealing the termination of a certain fee; and generally relating
6 to the Drinking Driver Monitor Program.

7 BY repealing and reenacting, with amendments,
8 Article – Correctional Services
9 Section 6–115(b) ~~and (e)~~, (c), and (d)
10 Annotated Code of Maryland
11 (1999 Volume and 2007 Supplement)

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

14 **Article – Correctional Services**

15 6–115.

16 (b) All supervisees placed in the Drinking Driver Monitor Program by the
17 Division shall be:

18 (1) subject to a monthly supervision fee in accordance with § 6–226 of
19 the Criminal Procedure Article; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) [for fiscal years 2006 through 2010 only,] assessed a monthly
2 program fee of [~~\$45~~] **\$55** by the Division.

3 (c) (1) The Program fee imposed under this section shall be paid to the
4 Division by all supervisees in the Drinking Driver Monitor Program [from July 1, 2005
5 through June 30, 2010].

6 (2) The Division shall pay the Program fees collected under this
7 section into the Drinking Driver Monitor Program Fund.

8 (d) Notwithstanding subsections (b) and (c) of this section, A COURT OR the
9 Division may exempt a supervisee as a whole or in part from the Program fee imposed
10 under this section if:

11 (1) the supervisee has diligently tried but has been unable to obtain
12 employment that provides sufficient income for the supervisee to pay the fee;

13 (2) (i) the supervisee is a student in a school, college, or university
14 or is enrolled in a course of vocational or technical training designed to prepare the
15 student for gainful employment; and

16 (ii) certification of student status is supplied to the COURT OR
17 Division by the institution in which the supervisee is enrolled;

18 (3) the supervisee has a handicap limiting employment, as determined
19 by a physical or psychological examination accepted by the COURT OR Division;

20 (4) the supervisee is responsible for the support of dependents and the
21 payment of the fee is an undue hardship on the supervisee; or

22 (5) other extenuating circumstances exist.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.