

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 531

(Delegate Dumais)

Judiciary

Judicial Proceedings

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**Catastrophic Health Emergency Orders - Citations**

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This bill authorizes a police officer to issue a citation for a failure to comply with a health emergency examination, testing, vaccination, treatment, isolation, or quarantine order, requirement, or directive issued by a health officer under specified applicable provisions of the Health – General Article or the Public Safety Article.

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**Fiscal Summary**

**State Effect:** Any additional citations or convictions resulting from the bill are not expected to significantly affect the overall operations or finances of any State law enforcement agency or the District Court.

**Local Effect:** Any additional citations or convictions resulting from the bill are not expected to significantly affect the overall operations or finances of any local law enforcement agency or the circuit courts.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under provisions relating to the Governor’s health emergency powers in the Public Safety Article, a person may not knowingly and willfully fail to comply with an order, requirement, or directive issued. A violator is guilty of a misdemeanor and subject to maximum penalties of imprisonment for one year and/or a fine of \$5,000.

Under provisions relating to the Secretary of Health and Mental Hygiene's health emergency powers in the Health-General Article, a person may not knowingly and willfully fail to comply with an order, requirement, or directive issued. A violator is guilty of a misdemeanor and subject to maximum penalties of imprisonment for one year and/or a fine of \$3,000.

In addition to any other law allowing a crime to be charged by citation, a police officer may issue a citation for:

- sale of an alcoholic beverage to an underage or intoxicated person;
- malicious destruction of property, if the amount of property damage is less than \$500;
- disturbing the peace or disorderly conduct; or
- misdemeanor theft.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Anne Arundel County, Garrett County, Montgomery County, Department of Health and Mental Hygiene (Office of Preparedness and Response), Department of Public Safety and Correctional Services, Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2008  
ncs/jr Revised - House Third Reader - March 25, 2008

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