

HOUSE BILL 1190

D2

2lr2098

By: **Delegate Murphy**

Introduced and read first time: February 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Charles County – District Court – Court Cost Surcharge**

3 FOR the purpose of authorizing the County Commissioners of Charles County to adopt
4 an ordinance that requires a certain surcharge to be imposed on all traffic cases
5 and criminal cases in the District Court in Charles County; requiring the
6 District Court in Charles County to add a certain surcharge to court costs
7 imposed by the court if the County Commissioners adopt an ordinance under
8 this Act; requiring surcharges collected under this Act to be remitted to the
9 County Commissioners of Charles County and used for a certain purpose; and
10 generally relating to court costs imposed by the District Court in Charles
11 County.

12 BY adding to

13 Article – Courts and Judicial Proceedings
14 Section 7–301(g) and 7–302(g)
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2011 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Courts and Judicial Proceedings
19 Section 7–302(a)
20 Annotated Code of Maryland
21 (2006 Replacement Volume and 2011 Supplement)

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

24 **Article – Courts and Judicial Proceedings**

25 7–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(G) (1) THE COUNTY COMMISSIONERS OF CHARLES COUNTY MAY**
2 **ADOPT AN ORDINANCE THAT REQUIRES A SURCHARGE OF AT LEAST \$2 BUT NOT**
3 **EXCEEDING \$5 TO BE IMPOSED ON ALL TRAFFIC CASES AND CRIMINAL CASES IN**
4 **THE DISTRICT COURT IN CHARLES COUNTY.**

5 **(2) (I) IF THE COUNTY COMMISSIONERS ADOPT AN ORDINANCE**
6 **UNDER THIS SUBSECTION, THE DISTRICT COURT IN CHARLES COUNTY SHALL**
7 **ADD THE DESIGNATED SURCHARGE TO THE COURT COSTS IMPOSED BY THE**
8 **COURT.**

9 **(II) SURCHARGES COLLECTED UNDER THIS SECTION AND**
10 **REMITTED TO THE COUNTY COMMISSIONERS IN ACCORDANCE WITH § 7-302(G)**
11 **OF THIS SUBTITLE SHALL BE USED BY CHARLES COUNTY TO PROVIDE**
12 **SUBSTANCE ABUSE TREATMENT.**

13 7-302.

14 (a) Except as provided in subsections (b) through [(f)] (G) of this section, the
15 clerks of the District Court shall:

16 (1) Collect costs, fines, forfeitures, or penalties imposed by the court;
17 and

18 (2) Remit them to the State under a system agreed upon by the Chief
19 Judge of the District Court and the Comptroller.

20 **(G) IF THE COUNTY COMMISSIONERS OF CHARLES COUNTY ENACT AN**
21 **ORDINANCE IMPOSING A SURCHARGE UNDER § 7-301(G) OF THIS SUBTITLE,**
22 **THE DISTRICT COURT IN CHARLES COUNTY SHALL REMIT THE SURCHARGE TO**
23 **THE COUNTY COMMISSIONERS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2012.