

# HOUSE BILL 201

E2  
HB 190/13 – JUD

4lr1661

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By: **Delegates Mitchell, Cluster, and Valentino-Smith**

Introduced and read first time: January 16, 2014

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **District Court Electronic Citation Fund and Fee**

3 FOR the purpose of altering certain court costs in a District Court traffic case; altering  
4 certain court costs in a District Court criminal case; requiring the Comptroller  
5 to pay annually from certain court costs a certain amount per case into the  
6 District Court Electronic Citation Fund; requiring the Comptroller to pay  
7 annually from certain court costs a certain amount per case to a certain  
8 arresting agency for a certain purpose; establishing the District Court  
9 Electronic Citation Fund; providing for the funding sources for the Fund;  
10 providing that the Fund is a special, continuing, nonlapsing fund that is not  
11 subject to a certain provision of law; requiring the State Treasurer to hold the  
12 Fund separately and the Comptroller to account for the Fund; requiring that  
13 the Fund be invested and reinvested in the same manner as other State funds;  
14 providing that the Fund is subject to audit by the Office of Legislative Audits;  
15 requiring the Clerk of the District Court to use the Fund for a certain purpose;  
16 providing that this Act does not prohibit the Fund from receiving money from  
17 any source; and generally relating to the District Court Electronic Citation  
18 Fund and fee.

19 BY repealing and reenacting, with amendments,  
20 Article – Courts and Judicial Proceedings  
21 Section 7–301(a), (b), and (e)  
22 Annotated Code of Maryland  
23 (2013 Replacement Volume and 2013 Supplement)

24 BY adding to  
25 Article – Criminal Procedure  
26 Section 4–110  
27 Annotated Code of Maryland  
28 (2008 Replacement Volume and 2013 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Courts and Judicial Proceedings**

4 7–301.

5 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the  
6 court costs in a traffic case, including parking and impounding cases, cases under §  
7 21–202.1, § 21–809, § 21–810, § 21–1414, or § 24–111.3 of the Transportation Article  
8 in which costs are imposed, and cases under § 10–112 of the Criminal Law Article in  
9 which costs are imposed:

10 (i) Are [~~\$22.50~~] **\$27.50**; and

11 (ii) Shall also be applicable to those cases in which the  
12 defendant elects to waive the defendant’s 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 (2) In an uncontested case under § 21–202.1, § 21–809, § 21–810, §  
16 21–1414, or § 24–111.3 of the Transportation Article, an uncontested case under §  
17 10–112 of the Criminal Law Article, or an uncontested parking or impounding case in  
18 which the fines are paid directly to a political subdivision or municipality, costs are  
19 \$2.00, which costs shall be paid to and retained by the political subdivision or  
20 municipality.

21 (3) (i) In an uncontested case in which the fine is paid directly to  
22 an agency of State government authorized by law to regulate parking of motor  
23 vehicles, the court costs are \$2.00.

24 (ii) The fine and the costs under this paragraph shall be paid to  
25 the agency, which shall receive and account for these funds as in all other cases  
26 involving sums due the State through a State agency.

27 (b) (1) The court costs in a criminal case in which costs are imposed are  
28 [~~\$22.50~~] **\$27.50**.

29 (2) The costs shall be in addition to any costs imposed in a criminal  
30 case under the Criminal Injuries Compensation Act.

31 (e) The Comptroller shall annually pay from the court costs collected by the  
32 District Court under subsections (a) and (b)(1) of this section:

33 (1) \$500,000 into the Criminal Injuries Compensation Fund  
34 established under § 11–819 of the Criminal Procedure Article; [and]



1           **(B) THE CLERK OF THE DISTRICT COURT SHALL USE THE FUND TO**  
2 **PERFORM THE DUTIES REQUIRED BY THE COURT FOR ESTABLISHING AND**  
3 **MAINTAINING ELECTRONIC CITATIONS.**

4           **(C) THIS SECTION DOES NOT PROHIBIT THE FUND FROM RECEIVING**  
5 **MONEY FROM ANY SOURCE.**

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2014.