

# HOUSE BILL 631

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8lr2465

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By: **Delegate Otto**

Introduced and read first time: January 29, 2018

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: February 27, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Somerset County – Fines and Forfeitures – Distribution**

3 FOR the purpose of providing that, in Somerset County, the Clerk of the Circuit Court for  
4 Somerset County shall transmit monthly a certain amount to a certain Court and  
5 Bar Library Account; and generally relating to the distribution of fines and  
6 forfeitures collected in Somerset County.

7 BY repealing and reenacting, with amendments,  
8 Article – Courts and Judicial Proceedings  
9 Section 7–507  
10 Annotated Code of Maryland  
11 (2013 Replacement Volume and 2017 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 7–507.

16 (a) (1) This section does not apply to Anne Arundel[,] AND Howard[, and  
17 Somerset] counties.

18 (2) This section does not apply to fines imposed in gambling cases in  
19 Baltimore County.

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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 (b) Except as provided in subsection (c) of this section, the fines imposed by and  
2 recognizances forfeited to each circuit court shall be distributed as follows:

3 (1) 50% to the clerk of the circuit court, to be used under the direction of  
4 the judges of the circuit court to augment the court library; and

5 (2) 5% to the clerk of the circuit court as a commission.

6 (c) (1) In Calvert County, if the County Administrative Circuit Court Judge  
7 determines that the amount under subsection (b)(1) of this section exceeds the needs of the  
8 library, excess amounts may be used for other needs of the Circuit Court for Calvert County  
9 if the Judge provides the County Commissioners with an annual report documenting how  
10 the excess amount is used.

11 (2) In Carroll County, in addition to the amount under subsection (b) of this  
12 section, the County Commissioners shall appropriate and pay to the Clerk of the Circuit  
13 Court for Carroll County \$1,800, plus any additional amount that the County  
14 Commissioners determine, for library support and maintenance, including books and  
15 library equipment, to be used under the direction of the judges of the Circuit Court for  
16 Carroll County.

17 (3) In Cecil County:

18 (i) In any year in which the amount provided to the court library  
19 under subsection (b) of this section and the attorney appearance fees under § 7–204 of this  
20 title:

21 1. Is less than \$10,000, the County Commissioners shall pay  
22 to the clerk of the court the amount necessary to bring the total to \$10,000, plus any amount  
23 the County Commissioners determine is reasonable for the library maintenance, to be used  
24 under the direction of the judges of the Circuit Court for Cecil County; or

25 2. Exceeds the amount necessary for library maintenance,  
26 the Cecil County Bar and Library Association, Inc., may transfer the excess money to the  
27 Cecil County Bar Foundation, Inc., to be used for charitable and educational purposes in  
28 accordance with the bylaws of the Foundation; and

29 (ii) All amounts paid under this section shall be used under the  
30 direction of the judges of the Circuit Court for Cecil County in consultation with the Law  
31 Library Committee of the Cecil County Bar and Library Association, Inc.

32 (4) In Charles County, in any year in which the amount under subsection  
33 (b) of this section is less than \$3,000, the County Commissioners shall pay to the Clerk of  
34 the Circuit Court for Charles County the amount necessary to bring the total to \$3,000,  
35 plus any amount the County Commissioners determine is reasonable for library  
36 maintenance, to be used under the direction of the judges of the Circuit Court for Charles

1 County, who reside in the county.

2 (5) In Harford County, the local governing body shall appropriate and pay  
3 to the Clerk of the Circuit Court for Harford County, to be used under the direction of the  
4 judges of the court:

5 (i) The amount under subsection (b) of this section; and

6 (ii) Any amount the local governing body determines is appropriate,  
7 but not less than \$1,500, for library support and maintenance, including books, library  
8 equipment, and the services of a librarian.

9 (6) (i) In St. Mary's County, the Clerk of the Circuit Court for St. Mary's  
10 County shall transmit monthly the amount under subsection (b)(1) of this section to a  
11 special account known as the St. Mary's County Law Library Fund maintained by the  
12 county.

13 (ii) As determined by the County Administrative Judge, the St.  
14 Mary's County Law Library Fund may only be used for the general purposes of the court  
15 library, including to acquire books, other publications, and library equipment, and for other  
16 necessary expenses.

17 (7) **IN SOMERSET COUNTY, THE CLERK OF THE CIRCUIT COURT FOR**  
18 **SOMERSET COUNTY SHALL TRANSMIT MONTHLY THE AMOUNT UNDER SUBSECTION**  
19 **(B)(1) OF THIS SECTION TO A SPECIAL ACCOUNT KNOWN AS THE COURT AND BAR**  
20 **LIBRARY ACCOUNT.**

21 (8) In Worcester County, in addition to the amount under subsection (b) of  
22 this section, the County Commissioners shall appropriate and pay to the Clerk of the  
23 Circuit Court for Worcester County \$2,000 and any additional amount that the  
24 Commissioners set for library support and maintenance to be used under the direction of  
25 the judges of the Circuit Court for Worcester County.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2018.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.