

Department of Legislative Services  
Maryland General Assembly  
2022 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1430  
Judiciary

(Delegate C. Branch)

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Courts - Special Court Dockets - Weapons Crimes

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This bill requires the Chief Judge of the Court of Appeals to establish a special court docket in each of the circuit courts to exclusively hear and decide cases alleging (1) a violation under Title 4 of the Criminal Law Article or (2) a violation under Title 3 of the Criminal Law Article using a dangerous weapon. Personnel must be assigned as necessary. A court assigned a case under the bill must follow the rules of practice and procedure applicable to that court.

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Fiscal Summary

**State Effect:** General fund expenditures increase by \$33,700 in FY 2023 for programming costs. The bill may further affect the operations and finances of the Judiciary and the Office of the Public Defender (OPD), as discussed below.

**Local Effect:** The bill may affect the operations and finances of the circuit courts, as discussed below.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:**

*Title 4 of the Criminal Law Article (Weapon Crimes)*

Title 4 of the Criminal Law Article contains provisions relating to the use or possession of a firearm, including prohibitions pertaining to wearing, carrying, or transporting a

handgun; the use of a firearm in the commission of a crime of violence or any felony; possession of a firearm at a public demonstration; assault weapons and detachable magazines; machine guns; and destructive devices.

*Title 3 of the Criminal Law Article (Crimes Against the Person)*

Under Title 3 of the Criminal Law Article, the specified crimes against the person are (1) suicide; (2) assault, reckless endangerment, and related crimes; (3) sexual crimes; (4) robbery; (5) kidnapping; (6) abuse and other offensive conduct; (7) extortion and other threats; (8) stalking and harassment; (9) surveillance and other crimes against privacy; (10) threat of mass violence; (11) human trafficking; and (12) labor trafficking. Homicide is not covered under Title 3.

**State Fiscal Effect:** The Judiciary incurs one-time programing costs of \$33,723 in fiscal 2023 to implement the bill. The Judiciary advises that, overall, the bill may impact the operational efficiencies of the circuit courts by altering current court scheduling practices, staff assignments, and docket management. The magnitude of any operational impact (and related fiscal impact) depends in part on the number and disposition of cases, which cannot be reliably predicted beforehand, and whether diverting cases to the special court docket affects the manner by which cases are otherwise handled according to the rules of practice and procedure of each circuit court.

OPD advises that it may assign panel attorneys to cover the special court docket, similar to current practice with most problem solving courts. OPD panel attorneys are paid hourly fees and payment is dependent upon workload, which may vary depending on the jurisdiction. As such, OPD advises that any precise costs that may be incurred cannot be reliably predicted beforehand.

**Local Expenditures:** To the extent the special court docket affects the operational efficiencies of the circuit courts, local expenditures may be impacted. Counties are responsible for providing secretarial staff, supplies, and equipment for circuit court judges, as well as capital and operating expenses for courtroom and office facilities.

## Additional Information

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland State Commission on Criminal Sentencing Policy; Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Legislative Services

**Fiscal Note History:** First Reader - March 14, 2022  
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