

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 640
Judiciary

(Delegate Simpson, *et al.*)

City of Frederick - Assignment of Offenders to Road Work - Repeal

This bill repeals the requirement – and related provisions – in the City of Frederick, for a District Court judge, who tries and commits a vagrant or other offender of a municipal law or ordinance, to assign the offender to work on the public roads of the county or City of Frederick, whenever practicable.

Fiscal Summary

State Effect: The bill does not have a material impact on State government operations or finances.

Local Effect: Although the City of Frederick did not respond to a request for information regarding the fiscal effect of the bill, it is assumed the bill does not have a material impact on city operations or finances. Frederick County advises that the bill has no effect on county operations or finances.

Small Business Effect: None.

Analysis

Current Law: In the City of Frederick, a District Court judge who tries and commits a vagrant or other offender of a municipal law or ordinance, whenever practicable, must assign the offender to work on the public roads of the county or City of Frederick. The sheriff or other officer into whose custody an offender is committed must comply with the court's order of assignment.

An offender ordered by the court to work on the public roads of the city must be guarded by the superintendent of streets or by any other individual deputized by the sheriff. An offender ordered by the court to work on the public roads of the county must be guarded by the road supervisor of the district in which the offender works. For the purpose of guarding offenders employed in accordance with a court order issued these provisions, the sheriff may deputize the superintendent of streets, the district road supervisor, or any other individual to take charge of the offenders.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Frederick County; Judiciary (Administrative Office of the Courts); Department of Public Safety and Correctional Services; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2023
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