Article - Courts and Judicial Proceedings

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§7–301.

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

(i) Are $22.50; and

(ii) Shall also be applicable to those cases in which the defendant elects to waive the defendant's right to trial and pay the fine or penalty deposit established by the Chief Judge of the District Court by administrative regulation.

(2) In an uncontested case under § 21–202.1, § 21–809, § 21–810, § 21–1414, or § 24–111.3 of the Transportation Article, an uncontested case under § 10–112 of the Criminal Law Article, or an uncontested parking or impounding case in which the fines are paid directly to a political subdivision or municipality, costs are $2.00, which costs shall be paid to and retained by the political subdivision or municipality.

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

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

(b) (1) The court costs in a criminal case in which costs are imposed are $22.50.

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

(c) (1) The filing fees and costs in a civil case are those prescribed by law subject to modification by law, rule, or administrative regulation.

(2) The Chief Judge of the District Court shall assess a surcharge that:

(i) May not be more than:

1. $43 per summary ejectment case; and

2. $28 per case for all other civil cases; and

(ii) Shall be deposited:

1. For a surcharge assessed under item (i)1 of this paragraph:

A. 45% into the Statewide Rental Assistance Voucher Program established under § 4–2902 of the Housing and Community Development Article;

B. 45% into the Maryland Legal Services Corporation Fund established under § 11–402 of the Human Services Article; and

C. 10% into the Rental Assistance for Community Schools Families Fund established under § 9.9–104.1 of the Education Article; and

2. For a surcharge assessed under item (i)2 of this paragraph, into the Maryland Legal Services Corporation Fund established under § 11–402 of the Human Services Article.

(3) (i) In addition to the surcharge assessed under paragraph (2) of this subsection, the Chief Judge of the District Court shall assess a surcharge that may not be more than $10 per case for the following cases filed in Baltimore City:

1. Summary ejectment;

2. Tenant holding over;

3. Breach of lease; and

4. Warrant of restitution.

(ii) The revenue generated from the surcharge on filing fees collected by the District Court in Baltimore City under subparagraph (i) of this paragraph shall be:

1. Remitted quarterly to the Baltimore City Director of Finance; and

2. Used to fund the enhancement of sheriff benefits, the increase in sheriff personnel to enhance the service of domestic violence orders, and the work of the Neighborhood Services Unit within the Office of the Sheriff of Baltimore City.

(4) In addition to the surcharge assessed under paragraphs (2) and (3) of this subsection, the Chief Judge of the District Court shall assess a surcharge that:

(i) May not be more than:

1. $3 per summary ejectment case; and

2. $8 per case for all other civil cases; and

(ii) Shall be deposited into the Circuit Court Real Property Records Improvement Fund established under § 13–602 of this article.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, a surcharge assessed under paragraph (2)(i)1 of this subsection shall be assessed against a landlord and may not be awarded or assigned as a fee or cost against a residential tenant by the court.

(ii) A court may allow a landlord to deduct a surcharge assessed under paragraph (2)(i)1 of this subsection from the tenant's security deposit if:

1. A judgment for possession is granted in the landlord's favor; and

2. The lease agreement provides that a surcharge may be assessed against the tenant in accordance with this paragraph.

(iii) A deduction under subparagraph (ii) of this paragraph may not exceed the amount of a tenant's security deposit.

(6) The Supreme Court of Maryland may provide by rule for waiver of prepayment of filing fees and other costs in cases of indigency.

(d) (1) If a person pays court costs or a fine with a check in any motor vehicle, criminal, or civil case in the District Court, and the check is returned to the

court by the financial institution on which it is drawn because of insufficient funds in the account, or because the account has been closed or never existed, the court may impose a service charge of $30 against the party issuing the check.

(2) The service charge under this subsection shall be in addition to any other penalty prescribed by law.

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

(1) $500,000 into the Criminal Injuries Compensation Fund established under § 11–819 of the Criminal Procedure Article;

(2) $125,000 into the Victim and Witness Protection and Relocation Fund established under § 11–905 of the Criminal Procedure Article; and

(3) $2,000,000 into the Maryland Police Training and Standards Commission Fund established under § 3–206.1 of the Public Safety Article.

(f) (1) This subsection does not apply to a traffic case under § 21–202.1, § 21–809, § 21–810, or § 21–1414 of the Transportation Article or to a parking or impounding case.

(2) In a traffic case under subsection (a)(1) of this section the court shall add a $7.50 surcharge to any fine imposed by the court.

(3) (i) The Comptroller annually shall credit the surcharges collected under this subsection as provided in this paragraph.

(ii) An amount annually as set forth in the State budget shall be distributed for the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship as established in § 18–603.1 of the Education Article.

(iii) An amount annually as set forth in the State budget shall be distributed to the Maryland State Firefighters Association for the Widows' and Orphans' Fund.

(iv) After the distribution under subparagraphs (ii) and (iii) of this paragraph, $200,000 shall be distributed to the Maryland State Firemen's Association.

(v) After the distribution under subparagraphs (ii), (iii), and (iv) of this paragraph and until a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund since the establishment of the surcharge under

this subsection, the remainder shall be credited to the Volunteer Company Assistance Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public Safety Article.

(vi) After a total of $20,000,000 has been distributed to the Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the Maryland Emergency Medical System Operations Fund established under § 13–955 of the Transportation Article.

(vii) On or before September 1 of each year until $20,000,000 has been distributed to the Volunteer Company Assistance Fund, the State Court Administrator shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2–1257 of the State Government Article, on the amount of revenue distributed to the Volunteer Company Assistance Fund under this paragraph.

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