

HOUSE BILL 259

D1, R7

4lr0889

By: **Delegate Chang**

Introduced and read first time: January 12, 2024

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2024

CHAPTER _____

1 AN ACT concerning

2 **District Court – Traffic Cases – Surcharges**

3 FOR the purpose of increasing the surcharge the District Court is required to add to any
4 fine imposed in certain traffic cases; and generally relating to surcharges in traffic
5 cases.

6 BY repealing and reenacting, without amendments,
7 Article – Courts and Judicial Proceedings
8 Section 7–301(a)(1)
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2023 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Courts and Judicial Proceedings
13 Section 7–301(f)
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2023 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 7–301.

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.



(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.

(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]~~ ~~\$9.50~~ \$10.00 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 Firemen's 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

1 Appropriations Committee, in accordance with § 2–1257 of the State Government Article,
2 on the amount of revenue distributed to the Volunteer Company Assistance Fund under
3 this paragraph.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.