

HB 2240 STAFF MEASURE SUMMARY

Carrier: Sen. Fagan

Senate Committee On Judiciary

Action Date: 04/22/19

Action: Do pass.

Vote: 7-0-0-0

Yeas: 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Channa Newell, Counsel

Meeting Dates: 4/22

WHAT THE MEASURE DOES:

Allows State Court Administrator to establish Central Violations Bureau to accept written, electronic, or telephonic appearances, waivers of trials, pleas of no contest, and payments of fines, costs, and assessments for violations. Specifies that the Central Violations Bureau may be used by a circuit court in addition to a local Violations Bureau. Allows violations clerk to accept payment through electronic or telephonic means and provides ability to reduce presumptive fine for payment through the Internet. Takes effect 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Violation bureaus process noncriminal fines
- Specific authority to delegate violation processing to court employees
- May reduce fines
- Increased use of electronic systems

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently, courts may establish a Violations Bureau with authority over any violation. A clerk of a local Violations Bureau accepts written appearances, waivers of trial, pleas of no contest, and payments for violations. Violations can be found in statute and local ordinances. In general, violations are punishable with a fine but do not include a term of imprisonment.

House Bill 2240 authorizes the State Court Administrator to establish a centralized Violations Bureau and allows circuit courts to send violations to the Central Violations Bureau. The measure expands the scope of services that may be offered by the Central Violations Bureau in comparison to a local Violations Bureau; it allows appearance and payment by electronic or telephonic means, and allows the clerk to reduce presumptive fines if paid online. If a person has more than one offense in a jurisdiction in twelve months, HB 2240 allows restrictions on that person's use of the Central Violations Bureau.