

Article - Courts and Judicial Proceedings
 Section 7-203
 Annotated Code of Maryland
 (1980 Replacement Volume and 1983 Supplement)

Preamble

WHEREAS, The Court of Appeals of Maryland held in State of Maryland v. Mayer and City Council of Baltimore, 296 Md. 67, (1983) that the City of Baltimore was liable to the State of Maryland for court costs in certain criminal cases, and

WHEREAS, Because of that decision and the precedent created by it, the counties and Baltimore City will be subject to substantial liability for payment of current and future court costs as well as large payments for costs which have accumulated during the litigation concerning liability for these costs, and

WHEREAS, The General Assembly recognizes that these costs will impose a substantial burden on the counties and Baltimore City which has not been anticipated to be a liability of local government, and that these payments have not been relied on as a source of revenue by the State, and further recognizes that the principal of assessing criminal court costs to local government is obsolete, and

WHEREAS, The General Assembly recognizes that in the past these costs have not been assessed or paid on a uniform basis by the political subdivisions, and

WHEREAS, The General Assembly finds and determines that it is in the public interest to relieve the counties and Baltimore City of liability for these costs, and to refund the costs paid by certain counties and Baltimore City in order that all the subdivisions be on a uniform basis, now, therefore,

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

Article 38 - Fines and Forfeitures

[4A.

No person who may be prosecuted for any misdemeanor or offense and discharged by the court on submission, or fined not exceeding fifteen cents, or prosecuted for any crime and acquitted on trial by jury, shall be burdened with the payment of any costs or fees accruing on such prosecution, but all such costs and fees, with the legal costs of the party accused, shall be paid by the county; and no person taken upon any warrant or capias on presentment where no bill of indictment is found shall be liable to pay or give security for costs, but such costs shall