

Approved May 8, 1997.

**CHAPTER 441**

**(House Bill 420)**

AN ACT concerning

**Criminal Procedure - District Court - ~~Exclusive Original~~ and Circuit Courts -  
Jurisdiction**

FOR the purpose of ~~increasing the potential term of imprisonment and the potential fines for which the jurisdiction of the District Court is concurrent with that of the circuit court in certain criminal cases~~ providing that the circuit courts do not have jurisdiction over certain misdemeanor drug cases; providing certain exceptions; and generally relating to the jurisdiction of the District Court and circuit courts in criminal cases.

BY repealing and reenacting, with amendments,  
Article - Courts and Judicial Proceedings  
Section 4-302(d)  
Annotated Code of Maryland  
(1995 Replacement Volume and 1996 Supplement)

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

**Article - Courts and Judicial Proceedings**

4-302.

(d) ~~The (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~ THE jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case:

(+) (I) In which the penalty may be confinement for ~~three~~ 5 years or more or a fine of ~~[\$2,500] \$30,000~~ or more; or

(-) (II) Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), and (11) of this subtitle.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CIRCUIT COURT DOES NOT HAVE JURISDICTION TO TRY A CASE CHARGING A VIOLATION OF ARTICLE 27, § 287 OF THE CODE.

(II) A CIRCUIT COURT DOES HAVE JURISDICTION TO TRY A CASE CHARGING A VIOLATION OF ARTICLE 27, § 287 OF THE CODE IF THE DEFENDANT:

1. PROPERLY DEMANDS A JURY TRIAL;