

SENATE BILL 514

C2

8lr2077
CF HB 771

By: **The President (By Request – Department of Legislative Services)**

Introduced and read first time: February 1, 2008

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 6, 2008

CHAPTER _____

1 AN ACT concerning

2 **State Board of Law Examiners – Sunset Extension and Program Evaluation**

3 FOR the purpose of continuing the State Board of Law Examiners in accordance with
4 the provisions of the Maryland Program Evaluation Act (Sunset Law) by
5 extending to a certain date the termination provisions relating to the statutory
6 and regulatory authority of the Board; requiring that an evaluation of the Board
7 and the statutes and regulations that relate to the Board be performed on or
8 before a certain date; increasing the maximum Bar examination fee that the
9 Court of Appeals may impose on an applicant; requiring the Court of Appeals to
10 implement the initial increase of certain fees in a certain manner; requiring the
11 Court of Appeals to report to certain committees of the General Assembly on or
12 before a certain date; and generally relating to the State Board of Law
13 Examiners.

14 BY repealing and reenacting, with amendments,
15 Article – Business Occupations and Professions
16 Section 10–208 and 10–218
17 Annotated Code of Maryland
18 (2004 Replacement Volume and 2007 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – State Government
21 Section 8–403(a)
22 Annotated Code of Maryland
23 (2004 Replacement Volume and 2007 Supplement)

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.



1 BY repealing and reenacting, with amendments,
2 Article – State Government
3 Section 8–403(b)(38)
4 Annotated Code of Maryland
5 (2004 Replacement Volume and 2007 Supplement)

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

8 **Article – Business Occupations and Professions**

9 10–208.

10 (a) An applicant for admission to the Bar shall submit to the Board a petition
11 to the Court of Appeals on the form that the Board provides.

12 (b) An applicant shall pay to the Board:

13 (1) an examination fee not exceeding [~~\$150~~] **\$400**, as set by the Court
14 of Appeals; and

15 (2) any other fee set by the Court of Appeals.

16 10–218.

17 Subject to the evaluation and reestablishment provisions of the Maryland
18 Program Evaluation Act, this subtitle shall terminate and be of no effect after July 1,
19 [2010] **2020**.

20 **Article – State Government**

21 8–403.

22 (a) On or before December 15 of the 2nd year before the evaluation date of a
23 governmental activity or unit, the Legislative Policy Committee, based on a
24 preliminary evaluation, may waive as unnecessary the evaluation required under this
25 section.

26 (b) Except as otherwise provided in subsection (a) of this section, on or before
27 the evaluation date for the following governmental activities or units, an evaluation
28 shall be made of the following governmental activities or units and the statutes and
29 regulations that relate to the governmental activities or units:

30 (38) Law Examiners, State Board of (§ 10–201 of the Business
31 Occupations and Professions Article: July 1, [2009] **2019**);

1 SECTION 2. AND BE IT FURTHER ENACTED, That the initial increase in the
 2 Bar examination fee, authorized under Section 1 of this Act, shall be limited to an
 3 amount that will allow the State Board of Law Examiners to cover expenses associated
 4 with the administration of the Bar examination. To ensure that expenses associated
 5 with the State Board of Law Examiners are covered by fee revenue, the Court of
 6 Appeals shall increase other fees, such as application fees.

7 SECTION 3. AND BE IT FURTHER ENACTED, That the Court of Appeals
 8 shall phase in subsequent increases in fees established by the Court of Appeals and
 9 associated with the State Board of Law Examiners in a manner such that fee revenues
 10 of the Board recover at least 90 percent of its operating costs in fiscal 2014.

11 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1,
 12 2008, the Court of Appeals shall report to the Senate Judicial Proceedings Committee
 13 and the House Judiciary Committee, in accordance with § 2-1246 of the State
 14 Government Article, on a plan to increase fees and generate fee revenue for the
 15 general fund sufficient to cover the expenditures associated with the State Board of
 16 Law Examiners.

17 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect
 18 June 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.