

# SENATE BILL 419

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3lr1067  
CF 3lr2387

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By: **Senators Frosh, Conway, Gladden, Madaleno, Pinsky, Raskin, and Rosapepe**

Introduced and read first time: January 28, 2013

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest**  
3 **for Failure to Appear**

4 FOR the purpose of requiring that an individual arrested for failure to appear in court  
5 to show cause why the individual should not be found in contempt for failure to  
6 appear for an examination in aid of enforcement of a money judgment be taken  
7 immediately before a certain court or before a certain judicial officer for a  
8 certain determination; providing for the application of this Act; and generally  
9 relating to arrest for failure to appear in court in response to certain show cause  
10 orders.

11 BY adding to  
12 Article – Courts and Judicial Proceedings  
13 Section 6–411  
14 Annotated Code of Maryland  
15 (2006 Replacement Volume and 2012 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 **6–411.**

20 **AN INDIVIDUAL ARRESTED FOR FAILURE TO APPEAR IN COURT TO SHOW**  
21 **CAUSE WHY THE INDIVIDUAL SHOULD NOT BE FOUND IN CONTEMPT FOR**  
22 **FAILURE TO APPEAR FOR AN EXAMINATION IN AID OF ENFORCEMENT OF A**  
23 **MONEY JUDGMENT SHALL BE TAKEN IMMEDIATELY:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(1) IF THE COURT IS IN SESSION, BEFORE THE COURT THAT**  
2 **ISSUED THE ORDER THAT RESULTED IN THE ARREST; OR**

3           **(2) IF THE COURT IS NOT IN SESSION, BEFORE A JUDICIAL**  
4 **OFFICER OF THE DISTRICT COURT FOR A DETERMINATION OF APPROPRIATE**  
5 **CONDITIONS OF RELEASE TO ENSURE THE INDIVIDUAL'S APPEARANCE AT THE**  
6 **NEXT SESSION OF THE COURT THAT ISSUED THE ORDER THAT RESULTED IN THE**  
7 **ARREST.**

8           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to  
9 any individual arrested for failure to respond to a show cause order for contempt for  
10 failure to appear for an examination in aid of enforcement of a money judgment on or  
11 after the effective date of this Act.

12           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2013.