

SENATE BILL 121

D3

5lr0819

By: **Senators Norman, Cassilly, Hershey, Hough, Jennings, Salling, and Waugh**
Introduced and read first time: January 28, 2015
Assigned to: Judicial Proceedings

Committee Report: Favorable
Senate action: Adopted
Read second time: February 24, 2015

CHAPTER _____

1 AN ACT concerning

2 **Courts – Discovery – Examination in Aid of Enforcement of Money Judgment**

3 FOR the purpose of prohibiting a circuit court and the District Court, in ruling on a certain
4 request by a judgment creditor for an examination in aid of enforcement of a certain
5 judgment, from requiring the judgment creditor to show that good cause exists for
6 the examination; authorizing a circuit court and the District Court to require a
7 judgment creditor to show that good cause exists for a certain examination under
8 certain circumstances; and generally relating to an examination in aid of
9 enforcement of a money judgment entered or recorded in a circuit court or in the
10 District Court.

11 BY adding to
12 Article – Courts and Judicial Proceedings
13 Section 11–404
14 Annotated Code of Maryland
15 (2013 Replacement Volume and 2014 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 **11–404.**

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 **(A) THIS SECTION APPLIES TO AN EXAMINATION IN AID OF ENFORCEMENT**
2 **OF A MONEY JUDGMENT ENTERED OR RECORDED IN A CIRCUIT COURT OR IN THE**
3 **DISTRICT COURT.**

4 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
5 **IN RULING ON A REQUEST BY A JUDGMENT CREDITOR FOR AN EXAMINATION IN AID**
6 **OF ENFORCEMENT, THE COURT MAY NOT REQUIRE THE JUDGMENT CREDITOR TO**
7 **SHOW THAT GOOD CAUSE EXISTS FOR THE EXAMINATION.**

8 **(2) THE COURT MAY REQUIRE A JUDGMENT CREDITOR TO SHOW THAT**
9 **GOOD CAUSE EXISTS FOR THE EXAMINATION OF A PERSON IF THE COURT GRANTED**
10 **A REQUEST BY THE JUDGMENT CREDITOR FOR AN EXAMINATION OF THE SAME**
11 **PERSON WITHIN THE PREVIOUS 12 MONTHS.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.