

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 793 (Washington County Delegation)
Environment and Transportation

Judicial Proceedings

Washington County - County Clerk

This bill alters the duties of the County Clerk of Washington County by repealing requirements for the clerk to maintain specified lists of attorneys. The bill also repeals a requirement for the County Clerk to execute a bond to the State of Maryland prior to performing the duties of the office.

Fiscal Summary

State Effect: The bill does not directly affect governmental operations or finances.

Local Effect: Washington County expenditures decrease by \$100 annually. Otherwise, the bill does not impact local finances or operations.

Small Business Effect: None.

Analysis

Current Law: In Washington County, the County Clerk must (1) keep minutes of the proceedings of the County Commissioners; (2) keep all records, papers, and documents of the county in safe custody; and (3) perform other duties imposed upon clerks of County Commissioners by any general or local law and other clerical duties required of the County Clerk by order of the County Commissioners.

Before beginning the duties of the office, the County Clerk must execute a \$10,000 bond to the State, to be approved by a judge of the Circuit Court of Washington County, conditioned on the true and faithful performance of the duties of the office. The bond must provide that the clerk must account for and pay to the proper person all money, orders, or funds as received by the clerk. The bond must be payable upon any default by the County

Clerk or misappropriation of any of the county's money or funds which are entrusted to the County Clerk, and must be recorded in the office of the Clerk of the Circuit Court for Washington County.

Any attorney who represents any agency, or any member of that attorney's firm, may not represent a person in any proceeding before or with the agency. An attorney who is a member of any agency, or any member of that attorney's firm, may not represent a person in any proceeding before or with the agency. Each agency must file with the Clerk of the County Commissioners the names and addresses of all attorneys representing the agencies and all members of the agency who are attorneys. The Clerk must maintain a list of such names, which must be a matter of public record and open to inspection by the public during normal office hours.

Local Fiscal Effect: Washington County advises that local expenditures decrease by approximately \$100 annually due to the repeal of the bond requirement. The county advises that annual bond renewal expenditures are \$100. The county further advises that the bill does not otherwise impact local finances, as the county's Budget and Finance Department (and not the County Clerk) is the entity responsible for county finances.

Additional Information

Prior Introductions: None.

Cross File: SB 636 (Washington County Senators) - Judicial Proceedings.

Information Source(s): Washington County, Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2015
min/kdm

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