

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1260

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “which” insert “banking institutions and”; in line 11, after “examined;” insert “defining a certain term; altering certain definitions;”; after line 12, insert:

“BY renumbering

Article - Financial Institutions

Section 1-101(g) through (r), respectively

to be Section 1-101(h) through (s), respectively

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)”;

in line 21, strike “12-916(a)” and substitute “12-916(a) and (e)”; in the same line, strike “12-1016(a)” and substitute “12-1016(a) and (e)”; in line 23, strike “14-2007(e)(1)” and substitute “14-2007(e)(1) and (f)(1)”; and strike in their entirety lines 26 through 30, inclusive.

On page 2, after line 10, insert:

“BY adding to

Article - Financial Institutions

Section 1-101(g) and 2-105.1

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)”;

in line 13, strike “1-301(b)(5)” and substitute “1-301(b)”; in line 27, strike “5-901(h),”; in the same line, strike “5-1101(d),”; in line 35, strike “11-201(b),”; and in the same line, strike “11-401(e), 11-501(c),”.

(Over)

On pages 2 and 3, strike in their entirety the lines beginning with line 42 on page 2 through line 3 on page 3, inclusive.

On page 3, in line 6, after “Section” insert “5-901(h); 5-1101(d);”; in line 7, after “Credit”“ insert “; 11-201(b); 11-401(e); and 11-501(c)”; and after line 29, insert:

“BY renumbering

Article - Financial Institutions

Section 5-901(i) through (r); 5-1101(e) through (h); 11-201(c) through (f); 11-401(f) through (n); and 11-501(d) through (n), respectively

to be Section 5-901(h) through (q); 5-1101(d) through (g); 11-201(b) through (e);

11-401(e) through (m); and 11-501(c) through (m), respectively

Annotated Code of Maryland

(1992 Replacement Volume and 1995 Supplement)”.

## AMENDMENT NO. 2

On page 3, before line 30, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1-101(g) through (r), respectively, of Article - Financial Institutions of the Annotated Code of Maryland be renumbered to be Section(s) 1-101(h) through (s), respectively.”;

in line 30, strike “1.” and substitute “2. AND”; in the same line, after “IT” insert “FURTHER”; and in lines 30 and 31, strike “BY THE GENERAL ASSEMBLY OF MARYLAND”.

On pages 5 through 11, insert “OF FINANCIAL REGULATION” after the closing bracket in each of the following instances:

on page 5, in lines 16 and 27;

on page 6, in lines 2, 13, 20, 25, 28, and 35;

on page 7, in line 18;

on page 8, in lines 6, 11, and 17;

on page 9, in lines 6, 22, and 33;

on page 10, in lines 9 and 16; and

on page 11, in line 21.

On page 7, in line 12, strike the second “of”; and in line 13, strike “FINANCIAL REGULATION”.

On page 7 in line 28, on page 8 in line 27, on page 11 in line 32, on page 45 in line 23, and on page 63 in line 30, in each instance, after “Commissioner” insert “OF FINANCIAL REGULATION”.

On page 10, in line 21, strike “Consumer Credit” and substitute “FINANCIAL REGULATION”.

Strike “OF FINANCIAL REGULATION” in each of the following instances:

on page 10, in line 35;

on page 13, in lines 5 and 6, 16, 27, and 30;

on page 16, in lines 34 and 35;

on page 17, in line 20;

on page 23, in line 6;

on page 24, in line 36;

on page 28, in line 29;

on page 31, in line 23;

on page 32, in lines 23 and 28;

(Over)

on page 33, in lines 7 and 8;

on page 34, in line 9;

on page 36, in line 22;

on page 37, in line 31;

on page 52, in lines 14 and 15;

on page 54, in line 25;

on page 64, in lines 4 and 9;

on page 67, in lines 20 and 28;

on page 68, in lines 3 and 7;

on page 70, in line 14;

on page 73, in line 32; and

on page 84, in lines 29 and 30.

On page 11, after line 19, insert:

“(f) (1) In this subsection, “notice” means the first to occur of the following:

(i) When the lessor receives a written notice from the lessee notifying the lessor of an error or violation;

(ii) When the lessor receives a written notice from the Commissioner of [Consumer Credit] FINANCIAL REGULATION or the appropriate regulatory authority notifying the lessor of

an error or violation; or

(iii) When the lessor receives service of process in a civil action for an error or violation instituted by a lessee in a court of competent jurisdiction.”.

On page 13, after line 1, insert:

“1-101.

(G) “COMMISSIONER” MEANS THE COMMISSIONER OF FINANCIAL REGULATION IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.”.

On page 50, strike in their entirety lines 28 through 30, inclusive.

On page 52, strike in their entirety lines 1 through 3, inclusive.

On page 67, in line 14, strike the first “of”; and in line 15, strike “FINANCIAL REGULATION”.

On page 73, strike in their entirety lines 9 through 11, inclusive; and strike in their entirety lines 19 through 24, inclusive.

On page 75, strike in their entirety lines 1 and 2; in line 3, strike the first set of brackets; in the same line, strike “(D)”; in lines 5, 7, and 19, in each instance, strike the brackets; and in the same lines, strike “(E)”, “(F)”, and “(G)”, respectively.

On page 76, in line 7, strike the brackets; and in the same line, strike “(H)”.

On page 86, strike in their entirety lines 37 and 38.

On page 87, in line 1, strike “(C)” and substitute “(b)”; in lines 3, 5, 16, 18, and 19, in each instance, strike the brackets; and in lines 3, 5, 16, 18, and 19, strike “(D)”, “(E)”, “(F)”, “(G)”, and “(H)”, respectively.

(Over)

On page 88, in line 3, after the first “Commissioner” insert “OF FINANCIAL REGULATION”.

On page 89, after line 41, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 5-901(i) through (r); 5-1101(e) through (h); 11-201(c) through (f); 11-401(f) through (n); and 11-501(d) through (n), respectively, of Article - Financial Institutions of the Annotated Code of Maryland be renumbered to be Section(s) 5-901(h) through (q); 5-1101(d) through (g); 11-201(b) through (e); 11-401(e) through (m); and 11-501(c) through (m), respectively.”;

and in line 42, strike “2.” and substitute “4.”.

On page 90, in lines 3, 8, 13, 19, 28, 33, and 42, strike “3.”, “4.”, “5.”, “6.”, “7.”, “8.”, and “9.”, respectively, and substitute “5.”, “6.”, “7.”, “8.”, “9.”, “10.”, and “11.”, respectively.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 30 through 32, inclusive.

On page 7, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 4

On page 7, in line 26, strike the bracket; in lines 26 and 27, strike “: (1) “Complaining” and substitute “, “complaining””; and in line 29, before “(2)” insert an opening bracket.

On page 8, in line 25, strike the bracket; in lines 25 and 26, strike “: (1) “Complaining” and substitute “, “complaining””; and in line 28, before “(2)” insert an opening bracket.

AMENDMENT NO. 5

On page 13, in line 3, after “(b)” insert “(1)”; after line 3, insert:

“(1) (I) A national banking association;

[(2)] (II) A State banking institution;

[(3)] (III) An other-state bank that maintains a branch in this State;

[(4)] (IV) A credit union that is organized under the laws of this State or of the United States;

in line 4, strike “(5)” and substitute “(V)”; and after line 6, insert:

“[(6)] (VI) A savings and loan association that is organized under the laws of this State or of the United States.

(2) “FIDUCIARY INSTITUTION” DOES NOT INCLUDE ANY PERSON LICENSED BY THE COMMISSIONER UNDER TITLE 11 OF THIS ARTICLE.”.

On page 87, in line 5, before ““Financial” insert “(1)”; in lines 6, 7, 8, 10, 12, and 14, strike “(1)”, “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(I)”, “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively; and after line 15, insert:

“(2) “FINANCIAL INSTITUTION” DOES NOT INCLUDE ANY PERSON LICENSED BY THE COMMISSIONER UNDER TITLE 11 OF THIS ARTICLE.”.

AMENDMENT NO. 6

On page 14, in lines 2 and 3 and 13 and 14, in each instance, strike “OR IN THE REGULATION OR MANAGEMENT OF THE BUSINESS OF MAKING LOANS,”.

AMENDMENT NO. 7

On page 37, in line 35, after “year” insert “, UNLESS THE COMMISSIONER DETERMINES THAT, DURING A CALENDAR YEAR, AN EXAMINATION IS UNNECESSARY, IN WHICH EVENT AN EXAMINATION SHALL OCCUR NO LESS FREQUENTLY THAN ONCE EVERY 18 MONTHS”.

On page 54, in line 28, strike the brackets; in the same line, strike “a” and substitute

(Over)

“DURING EACH CALENDAR”; and strike beginning with “ON” in line 28 down through “COMMISSIONER” in line 29 and substitute “, UNLESS THE COMMISSIONER DETERMINES THAT, DURING A CALENDAR YEAR, AN EXAMINATION IS UNNECESSARY, IN WHICH EVENT AN EXAMINATION SHALL OCCUR NO LESS FREQUENTLY THAN ONCE EVERY 18 MONTHS”.