

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 15

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the comma in line 4 down through “plan” in line 15 and substitute “and that the Chief Judge of the Court of Appeals consider, based on a certain study, the feasibility of the establishment of a business and technology court division in the State; establishing a task force to study the creation of a business and technology division in appropriate circuit courts”; in line 15, after “date;” insert “providing that the report include certain input and information and be submitted to certain persons; providing for the membership of the task force; providing for the effective date of this Act; providing for the termination of this Act;”; and in the same line, after “to” insert “the establishment of a task force to study and issue a certain report concerning the feasibility of”.

AMENDMENT NO. 2

On page 1, in lines 18 and 19, strike “: (a) It” and substitute “it”; in line 20, strike “Business” and substitute “business”; in line 21, after “system;” insert “and”; and strike in their entirety lines 22 through 27, inclusive, and substitute:

“(2) the Chief Judge of the Court of Appeals consider the feasibility of the establishment of a business and technology court division in Maryland, based on a study to be completed by the Business and Technology Division Task Force, in order to enable the circuit courts to handle business and technology matters in the most coordinated, efficient, and responsive manner, and to afford convenient access to lawyers and litigants involved in business and technology matters.”.

AMENDMENT NO. 3

On page 2, strike in their entirety lines 1 through 22, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(Over)

(a) There is a Business and Technology Division Task Force.

(b) The Task Force shall reasonably reflect the geographic, ethnic, and gender diversity of the State and be composed of:

(1) the President of the Maryland State Bar Association or the President's designee;

(2) five members of the appropriate sections of the Maryland State Bar Association appointed by the President of the Maryland State Bar Association;

(3) three members of the Judiciary, appointed by the Chief Judge of the Court of Appeals;

(4) two members of the Senate of Maryland, appointed by the President of the Senate;

(5) two members of the House of Delegates, appointed by the Speaker of the House of Delegates; and

(6) six members of the public appointed by the President of the Maryland State Bar Association, at least two of whom shall have research and development or academic expertise in technology issues.

(c) The President of the Maryland State Bar Association or the President's designee shall be the chairman of the Task Force.

(d) The Task Force shall study the feasibility of the establishment of a business and technology division in appropriate circuit courts in the State.

(e) The report shall include:

(1) input from both the Maryland business community and legal community;

(2) a review of the experience of other states in creating business courts while avoiding an unwarranted proliferation of other "specialty" courts; and

(3) a consideration of all operational aspects of establishing a business and technology division, including:

(i) the benefits, costs, and potential negative impacts to the State and, in particular, the Judiciary that are associated with the establishment of a business and technology division in Maryland; ”;

and in lines 23, 25, 28, 32, 33, 35, and 37, strike “(a)”, “(b)”, “(c)”, “(d)”, “(e)”, “(f)”, and “(g)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, and “(viii)”, respectively.

AMENDMENT NO. 4

On page 3, after line 2, insert:

“(f) The Task Force shall issue a final report of its findings and recommendations to the Court of Appeals, the Governor, the Lieutenant Governor, the President of the Senate of Maryland, the Speaker of the House of Delegates, the House Judiciary Committee, the Senate Judicial Proceedings Committee and, subject to § 2-1246 of the State Government Article, to the General Assembly on or before December 1, 2000.”.

AMENDMENT NO. 5

On page 3, strike in their entirety lines 3 and 4 and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2000. It shall remain effective for a period of 1 year and, at the end of June 30, 2001, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.