

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 439 (Delegates Montague and Bobo)

Judiciary

Circuit Courts - Civil Enforcement of Administrative Orders

This bill sets forth procedures for the filing of a petition for civil enforcement of an administrative order in circuit court.

The bill may not be applied to any action for civil enforcement of an administrative order filed before the bill's October 1, 2000 effective date.

Fiscal Summary

State Effect: Because the bill provides a distinct method for the enforcement of State administrative orders that are being ignored or violated, the State could experience efficiency savings to the extent that it seeks to enforce State administrative orders. The State could also be negatively affected to the extent that other parties make use of the bill's procedures to enforce State administrative orders against the State.

Local Effect: Because the bill provides a distinct method for the enforcement of State administrative orders that are being ignored or violated, local governments could experience efficiency savings to the extent that they seek to enforce State administrative orders. Local governments could also be negatively affected to the extent that other parties make use of the bill's procedures to enforce State administrative orders against the local governments.

Small Business Effect: Potential meaningful.

Analysis

Current Law: The Administrative Procedure Act does not specifically address enforcement

of administrative orders.

Local Fiscal Effect: It is expected that the circuit courts could handle any increased workload resulting from the bill using existing budgeted resources. Presumably, parties may currently seek enforcement of administrative orders in circuit court by applying for injunctive, declaratory, or other relief.

Small Business Effect: Because the bill provides a distinct method for the enforcement of administrative orders that are being ignored or violated, small businesses could experience efficiency savings to the extent that they seek to enforce State administrative orders. Small businesses could also be negatively affected to the extent that other parties make use of the bill's procedures to enforce administrative orders against the businesses.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 16, 2000
cm/jr

Analysis by: Claire E. Rooney

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510