

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 854

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike “resident agents and the Attorney General” and substitute “persons”; in line 8, after “entities” insert “and officers of the State”; in line 10, after “circumstances;” insert “providing for the application of this Act; defining certain terms;”; and in line 12, after “entities” insert “and officers of the State”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 15 through 23, inclusive, and substitute:

“PROCESS MAY BE SERVED ON A LOCAL ENTITY OR A STATE AGENCY OR OFFICER AS PROVIDED UNDER MARYLAND RULES 2-124 AND 3-124.”.

AMENDMENT NO. 3

On page 3, after line 24, insert:

“(A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

(2) “CUSTODIAN” HAS THE MEANING STATED IN § 10-611 OF THE STATE GOVERNMENT ARTICLE.

(3) “OFFICIAL CUSTODIAN” HAS THE MEANING STATED IN § 10-611 OF THE STATE GOVERNMENT ARTICLE.

(4) “PUBLIC RECORD” HAS THE MEANING STATED IN § 10-611 OF THE STATE GOVERNMENT ARTICLE.”.

(Over)

AMENDMENT NO. 4

On page 3, in line 25, before “A” insert “(B)”; strike beginning with “DESCRIBED” in line 26 down through “ARTICLE” in line 27; in line 27, after “ON” insert “AN OFFICIAL CUSTODIAN OR CUSTODIAN OF PUBLIC RECORDS OR”; in line 29, after “CODE” insert “OR MARYLAND RULES 2-124 AND 3-124”; in line 31, after “ARTICLE” insert “OR MARYLAND RULES 2-124 AND 3-124”; and after line 35, insert:

“(C) SERVICE OF A SUBPOENA UNDER THIS SECTION IS EQUIVALENT TO PERSONAL SERVICE ON AN OFFICIAL CUSTODIAN OR CUSTODIAN OF PUBLIC RECORDS.

“(D) THE COURT OF APPEALS MAY ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 5

On page 4, after line 32, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any service of process or a subpoena before the effective date of this Act.”;

and in line 33, strike “2.” and substitute “3.”.