

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 683

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “, an” in line 7 down through “interest” in line 8 and substitute “and an obligor”; in line 10, after “Administration” insert “in a certain manner”; in line 14, strike “a request for” and substitute “an administrative”; and in line 20, after the semicolon insert “correcting certain cross references;”.

AMENDMENT NO. 2

On page 2, in line 28, after “(4)(II)” insert “AND (III)”; and in line 30, strike “(4)(III)” and substitute “(4)(IV)”.

On page 3, in line 5, strike “OR”; strike beginning with “BASED” in line 6 down through “PERSONS.” in line 8 and substitute “AN ACCOUNT OR PORTION OF AN ACCOUNT THAT HAS AN ACCOUNT HOLDER OF INTEREST NAMED AS AN OWNER ON THE ACCOUNT;
OR

5. AN ACCOUNT OR PORTION OF AN ACCOUNT TO WHICH THE OBLIGOR DOES NOT HAVE AN UNCONDITIONAL RIGHT OF ACCESS.”;

in line 14, strike “or State credit union”; in line 15, strike “or”; and in line 16, after “(III)” insert “A STATE CREDIT UNION REGULATED UNDER TITLE 6 OF THE FINANCIAL INSTITUTIONS ARTICLE; OR

(IV)”.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 22 through 26, inclusive; in line 27, strike “(3) (I)” and substitute “(2)”; and in line 32, strike “(II)” and substitute “(3)”.

(Over)

On page 8, strike in their entirety lines 7 through 34, inclusive; in line 35, strike “(F)” and substitute “(E)”; and in line 36, strike “(H)” and substitute “(G)”.

On page 9, in lines 3, 9, and 25, strike “(G)”, “(H)”, and “(I)”, respectively, and substitute “(F)”, “(G)”, and “(H)”, respectively; in line 10, after “SECTION” insert “BY:”

(I) FILING A REQUEST FOR AN INVESTIGATION WITH THE ADMINISTRATION; OR

(II) FILING A MOTION WITH THE CIRCUIT COURT”;

in line 11, after “UNDER” insert “PARAGRAPH (1)(I) OF”; strike beginning with “OR” in line 14 down through “SECTION” in line 16; strike beginning with “OR” in line 18 down through “SECTION” in line 20; after line 24, insert:

“(4) AN OBLIGOR OR AN ACCOUNT HOLDER OF INTEREST MAY CHALLENGE THE ACTIONS OF THE ADMINISTRATION BASED ON AN EXEMPTION IN § 11-504 OR § 11-603 OF THE COURTS ARTICLE OR FOR ANY OTHER GOOD CAUSE.”;

in line 28, strike “(I)”; in lines 31, 32, 33, and 34, strike “1.”, “2.”, “3.”, and “4.”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; in line 33, strike “OR”; and in line 34, after “DUE” insert “; OR”

(V) ANY OTHER GOOD CAUSE”.

On pages 9 and 10, strike in their entirety the lines beginning with line 35 on page 9 through line 2 on page 10, inclusive, and substitute:

“(3) THE ADMINISTRATION SHALL RELEASE OR REDUCE THE AMOUNT SEIZED AND ATTACHED BY THE FINANCIAL INSTITUTION IF THE ACCOUNT IS EXEMPT UNDER § 11-504 OR § 11-603 OF THE COURTS ARTICLE OR FOR ANY OTHER GOOD CAUSE.”.

On page 10, in lines 3 and 8, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 7, after “OCCURRED” insert “, THE ACCOUNT IS EXEMPT UNDER § 11-504 OR § 11-603 OF THE COURTS ARTICLE, OR OTHER GOOD CAUSE EXISTS”; in

line 15, strike “OR”; in line 17, after “THEREOF” insert “; OR”

(III) THE ACCOUNT OR A PORTION OF THE ACCOUNT IS EXEMPT UNDER § 11-504 OR § 11-603 OF THE COURTS ARTICLE OR OTHER GOOD CAUSE EXISTS”;

in lines 18, 24, and 29, strike “(J)”, “(K)”, and “(L)”, respectively, and substitute “(I)”, “(J)”, and “(K)”, respectively; in line 23, after “HEARINGS” insert “OR TO THE CIRCUIT COURT”; in line 28, strike “(I)(4)” and substitute “(H)(5)”; in lines 29 and 37, in each instance, strike “(J)” and substitute “(I)”; in line 29, after “APPEAL” insert “TO THE OFFICE OF ADMINISTRATIVE HEARINGS AUTHORIZED”; and strike line 32 in its entirety and substitute “(2) AN APPEAL TO THE OFFICE OF ADMINISTRATIVE HEARINGS”.

On page 11, in lines 1, 29, and 38, strike “(M)”, “(N)”, and “(O)”, respectively, and substitute “(L)”, “(M)”, and “(N)”, respectively; in line 1, after “APPEAL” insert “TO THE OFFICE OF ADMINISTRATIVE HEARINGS AUTHORIZED”; in the same line, strike “(J)” and substitute “(I)”; in line 20, strike “(I)(4)” and substitute “(H)(5)”; in line 29, strike “A REQUEST FOR” and substitute “AN ADMINISTRATIVE”; and in line 32, strike “OR SUBSECTION (E)”.

On page 12, in lines 5 and 16, strike “(P)” and “(Q)”, respectively, and substitute “(O)” and “(P)”, respectively.