

HOUSE BILL 114

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2002 Regular Session  
2lr0986  
CF 2lr0987

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By: **Chairman, Judiciary Committee (Maryland Judicial Conference)**

Introduced and read first time: January 11, 2002

Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Clerks of Circuit Courts - Auditor's Reports and Bonds - Recording and**  
3                                   **Indexing**

4 FOR the purpose of repealing requirements for the clerks of the circuit courts to  
5 record and index an auditor's report as to the disposition of the proceeds of sales  
6 of property, after ratification by a circuit court, and a bond given in any court  
7 proceeding; stating the intent of the General Assembly with regard to certain  
8 fees of the clerks of the circuit courts; providing for the effective date of this Act;  
9 and generally relating to information required to be maintained by the clerks of  
10 the circuit courts.

11 BY repealing and reenacting, without amendments,  
12 Article - Courts and Judicial Proceedings  
13 Section 2-201(a)(2)  
14 Annotated Code of Maryland  
15 (1998 Replacement Volume and 2001 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Courts and Judicial Proceedings  
18 Section 2-502  
19 Annotated Code of Maryland  
20 (1998 Replacement Volume and 2001 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23                                   **Article - Courts and Judicial Proceedings**

24 2-201.

25 (a) The clerk of a court shall:

26 (2) Make proper legible entries of all proceedings of the court and keep  
27 them in well bound books or other permanent form;

1 2-502.

2 [The clerks] EACH CLERK of [the] A circuit court [of a county shall record,  
3 index, and maintain the following information when filed in the court:

4 (1) An auditor's report of distribution of proceeds of a sale of real or  
5 personal property if ratified by the court of which he is clerk;

6 (2) All bonds of every nature and kind given in any proceeding in the  
7 court; and

8 (3) A] SHALL KEEP PERMANENTLY A test book containing the oaths of  
9 office and signatures of every [person] INDIVIDUAL who takes the oath before the  
10 clerk.

11 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the  
12 General Assembly that no fee be charged for an auditor's report or bond included in a  
13 case file as a matter of course and that the State Court Administrator propose to the  
14 Board of Public Works an amendment to the fee schedule of the clerks of the circuit  
15 courts as necessary to carry out this intent.

16 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 June 1, 2002.