

HOUSE BILL 114

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2002 Regular Session
2lr0986
CF 2lr0987

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

Introduced and read first time: January 11, 2002

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 12, 2002

CHAPTER _____

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:

1 **Article - Courts and Judicial Proceedings**

2 2-201.

3 (a) The clerk of a court shall:

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

6 2-502.

7 [The clerks] EACH CLERK of [the] A circuit court [of a county shall record,
8 index, and maintain the following information when filed in the court:9 (1) An auditor's report of distribution of proceeds of a sale of real or
10 personal property if ratified by the court of which he is clerk;11 (2) All bonds of every nature and kind given in any proceeding in the
12 court; and13 (3) A] SHALL KEEP PERMANENTLY A test book containing the oaths of
14 office and signatures of every [person] INDIVIDUAL who takes the oath before the
15 clerk.16 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
17 General Assembly that no fee be charged for an auditor's report or bond included in a
18 case file as a matter of course and that the State Court Administrator propose to the
19 Board of Public Works an amendment to the fee schedule of the clerks of the circuit
20 courts as necessary to carry out this intent.21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 June 1, 2002.