

SENATE BILL 197

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2002 Regular Session
(2r0984)

ENROLLED BILL

-- Judicial Proceedings and Budget and Taxation/Appropriations --

Introduced by **Chairman, Judicial Proceedings Committee (Maryland
Judicial Conference)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Circuit Courts - Rental of Space for Clerks of Court**

3 FOR the purpose of requiring each State budget to include a certain appropriation to
4 the Department of General Services to pay rent to counties, including Baltimore
5 City, for certain space occupied by clerks of the circuit courts; ~~establishing~~
6 providing that the amount of the rent shall be limited to certain rates in certain
7 years; establishing the rental rate in certain fiscal years; prohibiting
8 reimbursement of certain costs; prohibiting a county from decreasing the square
9 footage allocated to the clerk of the circuit court below a certain amount, unless
10 the county and the Administrative Office of the Courts agree otherwise;
11 requiring counties to use the savings resulting from this Act for the circuit
12 courts or related public safety purposes; requiring certain reports on certain
13 expenditures; providing for the construction of this Act; limiting general fund
14 expenditures to a certain amount for a certain purpose in certain fiscal years;
15 providing for a delayed effective date; and generally relating to rental of space
16 for clerks of the circuit courts.

1 BY adding to
 2 Article - Courts and Judicial Proceedings
 3 Section 1-504
 4 Annotated Code of Maryland
 5 (1998 Replacement Volume and 2001 Supplement)

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

8 **Article - Courts and Judicial Proceedings**

9 1-504.

10 (A) THERE SHALL BE INCLUDED IN EACH STATE BUDGET AN APPROPRIATION
 11 TO THE DEPARTMENT OF GENERAL SERVICES IN THE TOTAL AMOUNT NECESSARY
 12 TO PAY RENT DIRECTLY TO COUNTIES FOR SPACE OCCUPIED IN COUNTY FACILITIES
 13 BY CLERKS OF THE CIRCUIT COURTS, AS PROVIDED IN THIS SECTION.

14 (B) TO THE EXTENT PROVIDED IN THE STATE BUDGET THE RENT SHALL BE
 15 ~~\$10~~ CALCULATED PER NET USABLE SQUARE FOOT, WITH NO ADDITIONAL
 16 REIMBURSEMENT OF MAINTENANCE AND UTILITY ~~COSTS~~ COST:

17 (1) FOR FISCAL YEAR 2004, AT A RATE NOT TO EXCEED \$2.50;

18 (2) FOR FISCAL YEAR 2005, AT A RATE NOT TO EXCEED \$5.00; AND

19 (3) FOR FISCAL YEAR 2006 AND EACH FISCAL YEAR THEREAFTER, AT A
 20 RATE OF \$10.

21 (C) UNLESS THE ADMINISTRATIVE OFFICE OF THE COURTS AND A COUNTY
 22 AGREE OTHERWISE, THE COUNTY MAY NOT DECREASE THE NET USABLE SQUARE
 23 FOOTAGE ALLOCATED TO THE CLERK OF THE CIRCUIT COURT FOR THE COUNTY
 24 BELOW THE NET USABLE SQUARE FOOTAGE ALLOTTED FOR FISCAL YEAR 2002.

25 SECTION 2. AND BE IT FURTHER ENACTED, That, except as expressly
 26 provided in this Act, this Act does not modify any existing duty, liability, or
 27 responsibility of the State, a county, or Baltimore City.

28 SECTION 3. AND BE IT FURTHER ENACTED, That:

29 (1) Beginning in fiscal year ~~2003~~ 2004 and each fiscal year thereafter, each
 30 county and Baltimore City shall use the savings resulting from this Act solely to
 31 increase local expenditures for the circuit courts or related public safety purposes;

32 (2) In fiscal years ~~2003~~ 2004 through ~~2010~~ 2011, each county and Baltimore
 33 City shall report to the Department of Budget and Management on or before
 34 November 1 on circuit court or related public safety expenditures to which the savings
 35 resulting from this Act have been applied. The Department of Budget and
 36 Management shall report these expenditures to the Chief Judge of the Court of

1 Appeals and, subject to § 2-1246 of the State Government Article, to the General
2 Assembly; and

3 (3) Circuit court or related public safety expenditures required under this
4 section shall be used to supplement and may not supplant existing local expenditures
5 for the same purpose.

6 SECTION 4. AND BE IT FURTHER ENACTED, That no more than \$250,000 in
7 State general funds may be used to carry out the provisions of this Act in fiscal 2004.
8 No more than \$500,000 in State general funds may be expended to carry out the
9 provisions of this Act in fiscal 2005.

10 SECTION 4. 5. AND BE IT FURTHER ENACTED, That this Act shall take
11 effect July 1, ~~2002~~ 2003.