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2002 Regular Session 2lr0987 CF 2lr0986

By: Chairman, Judicial Proceedings Committee (Maryland Judicial Conference) Introduced and read first time: January 18, 2002 Assigned to: Judicial Proceedings
Committee Report: Favorable Senate action: Adopted Read second time: February 5, 2002
CHAPTER
1 AN ACT concerning
Clerks of Circuit Courts - Auditor's Reports and Bonds - Recording and Indexing
FOR the purpose of repealing requirements for the clerks of the circuit courts to record and index an auditor's report as to the disposition of the proceeds of sales of property, after ratification by a circuit court, and a bond given in any court proceeding; stating the intent of the General Assembly with regard to certain fees of the clerks of the circuit courts; providing for the effective date of this Act; and generally relating to information required to be maintained by the clerks of 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)
 BY repealing and reenacting, with amendments, Article - Courts and Judicial Proceedings Section 2-502 Annotated Code of Maryland (1998 Replacement Volume and 2001 Supplement)

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: 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: 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 All bonds of every nature and kind given in any proceeding in the 12 court; and

- 13 (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.
- 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.