

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL NO. 287
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “establishing a rule of interpretation that provides that certain references in the codified laws of the State to the “Code”, “Annotated Code”, and similar terms shall mean any code adopted as evidence of the public general laws of the State under a certain provision of law;”; in line 9, after “subdivisions;” insert “providing that the code of public general laws compiled and maintained by the Department of Legislative Services is adopted as evidence of the law and shall be considered as evidence of the law in all courts of the State and by all offices and officers of the State and its political subdivisions; altering and clarifying certain duties of the Department of Legislative Services and the Office of Policy Analysis with respect to the codified laws of the State; requiring the Department to create and maintain a statutory database of the public general laws of the State and to correct certain manifest errors in that code subject to ratification by the General Assembly; making certain technical, stylistic, and conforming changes; providing for the construction of this Act;”; and strike beginning with “adoption” in line 9 down through “as” in line 10 and substitute “public general laws of the State and”.

AMENDMENT NO. 2

On page 1, after line 10, insert:

“BY adding to

Article 1 - Rules of Interpretation

Section 2A

Annotated Code of Maryland

(2001 Replacement Volume and 2002 Supplement)”;

and after line 15, insert:

“BY repealing and reenacting, with amendments,

(Over)

Article - State Government
Section 2-1238(5) and (8), 2-1243(c), and 2-1247
Annotated Code of Maryland
(1999 Replacement Volume and 2002 Supplement)".

AMENDMENT NO. 3

On page 1, after line 17, insert:

"Article 1 - Rules of Interpretation

2A.

EACH REFERENCE IN THE CODIFIED LAWS OF MARYLAND TO "THE ANNOTATED CODE OF MARYLAND", "THE ANNOTATED CODE", "THE MARYLAND CODE", "THE STATE CODE", "THE CODE", OR "THIS CODE" SHALL MEAN ANY CODE OF THE PUBLIC GENERAL LAWS OF THE STATE THAT HAS BEEN ADOPTED AND MADE EVIDENCE OF THE PUBLIC GENERAL LAWS OF THE STATE UNDER § 10-201 OF THE COURTS ARTICLE."

AMENDMENT NO. 4

On page 2, after line 35, insert:

"(C) THE CODE OF PUBLIC GENERAL LAWS, AS COMPILED, UPDATED, AND MAINTAINED BY THE DEPARTMENT OF LEGISLATIVE SERVICES IN ACCORDANCE WITH § 2-1243(C) OF THE STATE GOVERNMENT ARTICLE, IS ADOPTED AND MADE EVIDENCE OF THE PUBLIC GENERAL LAWS OF MARYLAND AS CONTAINED IN THE CODE OF PUBLIC GENERAL LAWS OF MARYLAND OF 1888, AS AMENDED, MODIFIED, AND CHANGED FROM TIME TO TIME, THROUGH AND INCLUDING THE MOST RECENTLY COMPLETED REGULAR SESSION OF THE GENERAL ASSEMBLY. IT SHALL BE CONSIDERED AS THE EVIDENCE OF THE LAW IN ALL COURTS OF THE STATE AND BY ALL PUBLIC OFFICES AND OFFICERS OF THE STATE AND ITS POLITICAL SUBDIVISIONS."

AMENDMENT NO. 5

On page 2, before line 36, insert:

"Article - State Government

2-1238.

In addition to any duties set forth elsewhere, the Office shall:

(5) make recommendations for the reclassification, rearrangement, renumbering, rewording, and other formal revision of the public general laws [in the Code] OF MARYLAND;

(8) [make recommendations on the correction of] CORRECT manifest spelling, grammatical, or clerical errors or errors of addition or omission IN THE CODE MAINTAINED BY THE DEPARTMENT, AND INCLUDE ANY SUCH CORRECTION IN THE ANNUAL CORRECTIVE BILL FOR RATIFICATION BY THE GENERAL ASSEMBLY;

2-1243.

(c) The Department [is the agency responsible for] SHALL:

(1) CREATE AND MAINTAIN, IN THE FORM OF A STATUTORY DATABASE, A CODE COMPRISING THE PUBLIC GENERAL LAWS OF THE STATE; AND

(2) [maintaining] MAINTAIN the structural integrity and textual accuracy of [the codified laws of this State] THAT CODE.

2-1247.

(a) (1) (I) On request of a member of the General Assembly, the Department shall provide the member with [a set of the Annotated Code] AN ANNOTATED CODE of THE PUBLIC GENERAL LAWS OF Maryland[,] THAT IS PUBLISHED BY A PUBLISHER AND PRODUCED IN A FORMAT TO BE SELECTED BY THE EXECUTIVE DIRECTOR.

(II) AN ANNOTATED CODE SHALL BE PROVIDED TO A MEMBER UNDER THIS SUBSECTION only during the term of the member, at the end of which [it] THE ANNOTATED CODE shall be returned to the Department.

(Over)

(III) The Department shall keep the [volumes] ANNOTATED CODE PROVIDED UNDER THIS SUBSECTION current.

(2) On request, the Department shall provide one additional copy of [the Annotated Code] AN ANNOTATED CODE of Maryland to each:

- (i) presiding officer;
- (ii) pro tempore officer;
- (iii) chairman of a standing committee;
- (iv) majority leader; and
- (v) minority leader.

(b) A member shall return to the Department [all of the current volumes of the Code] THE CODE provided by the Department on or before the expiration of the member's final term of office. If a member resigns or is removed from office before the expiration of the member's term, the member shall promptly return the [volumes] CODE to the Department."

AMENDMENT NO. 6

On page 2, in line 36, after "That" insert ", except as specifically provided in §§ 2-1238, 2-1243, and 2-1247 of the State Government Article as enacted by Section 1 of this Act, this Act may not be construed to alter or affect in any way the functions, duties, operations, and procedures of the Department of Legislative Services.

SECTION 3. AND BE IT FURTHER ENACTED, That"