

SENATE BILL 141

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2003 Regular Session
3lr0765
CF 3lr0764

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

Introduced and read first time: January 24, 2003

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Clerks of Circuit Courts - Statutory Fee for Administering Oath of Office**

3 FOR the purpose of repealing the statutory authorization for a clerk of a circuit court
4 to collect a certain fee for administering an oath for certain offices; and
5 generally relating to repealing the authorization of a clerk of a circuit court to
6 collect a certain fee for administering an oath for certain offices.

7 BY repealing and reenacting, without amendments,
8 Article - State Government
9 Section 16-105
10 Annotated Code of Maryland
11 (1999 Replacement Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - State Government
14 Section 16-108
15 Annotated Code of Maryland
16 (1999 Replacement Volume and 2002 Supplement)

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

19 **Article - State Government**

20 16-105.

21 Except for an officer specified in §§ 16-101 through 16-104 of this title, an
22 officer elected or appointed to any office of trust or profit under the Maryland
23 Constitution or a law of this State, including a mayor or other chief magistrate of a
24 municipal corporation, shall take and subscribe the oath required by Article I, § 9 of
25 the Maryland Constitution before a clerk of the circuit court or before a sworn deputy
26 of the clerk.

1 16-108.

2 (a) At least once each month, the clerk of each circuit court shall report to the
3 Secretary of State the names and offices of all officers who have taken and subscribed
4 an oath before the clerk.

5 (b) The Secretary of State shall:

6 (1) preserve a report required by subsection (a) of this section; and

7 (2) equally with the clerk of a circuit court, be competent to certify the
8 character and qualifications of an officer who has taken and subscribed an oath
9 before the clerk.

10 [(c) The clerk of a circuit court may collect a fee of \$.10 for administering an
11 oath required by § 16-105 of this title to be administered by the clerk.]

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 2003.