

HOUSE BILL 298

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2004 Regular Session
4r0199
CF 4r0094

By: **The Speaker and the Minority Leader (By Request - Administration)**
and Delegates Edwards, Arnick, Aumann, Barkley, Bobo, Boutin,
Donoghue, Eckardt, Glassman, Impallaria, Kach, Kelly, King, McComas,
McMillan, Sophocleus, Stull, Trueschler, and Vallario

Introduced and read first time: January 27, 2004

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics - Judicial Review - Alteration of Stay of Enforcement of an**
3 **Order**

4 FOR the purpose of eliminating the automatic staying of the enforcement of an order
5 of the Ethics Commission upon the seeking of judicial review by a person
6 aggrieved by the order; providing that either the Ethics Commission or the
7 reviewing court may stay enforcement during the period of judicial review; and
8 generally relating to public ethics.

9 BY repealing

10 Article - State Government
11 Section 15-406(b)(2)
12 Annotated Code of Maryland
13 (1999 Replacement Volume and 2003 Supplement)

14 BY adding to

15 Article - State Government
16 Section 15-406(b)(2)
17 Annotated Code of Maryland
18 (1999 Replacement Volume and 2003 Supplement)

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

21 **Article - State Government**

22 15-406.

23 (b) [(2) If a timely appeal is filed, the order is stayed until final disposition by
24 the court.]

1 (2) (I) THE FILING OF A PETITION FOR JUDICIAL REVIEW DOES NOT
2 AUTOMATICALLY STAY THE ENFORCEMENT OF THE ORDER.

3 (II) EXCEPT AS OTHERWISE PROVIDED BY LAW, THE ETHICS
4 COMMISSION OR THE REVIEWING COURT MAY STAY THE ENFORCEMENT OF THE
5 ORDER, UNDER TERMS IT CONSIDERS PROPER.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
7 effect October 1, 2004.