

SENATE BILL 192

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2004 Regular Session
4lr0094
CF 4lr0199

By: **The President (By Request - Administration) and Senators Dyson,
Harris, Kittleman, Klausmeier, Munson, Pipkin, and Stoltzfus**

Introduced and read first time: January 23, 2004

Assigned to: Education, Health, and Environmental Affairs

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.]

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

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

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