

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 281 (Delegate Simmons)
Environmental Matters

State Ethics Commission – Judicial Review – Stays Pending Appeal

This bill repeals provisions requiring a final order of the State Ethics Commission to be stayed until final disposition by a court if a timely appeal has been filed. The bill provides that a final order by the commission may be stayed until final disposition at the discretion of the reviewing court or final decision-maker.

Fiscal Summary

State Effect: The requirements of the bill are procedural in nature and could be handled within existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: If a respondent is aggrieved by a final order of the State Ethics Commission, the respondent may seek judicial review under the provisions of the Administrative Procedure Act in Title 10 of the State Government Article. An order is stayed automatically until the time period for seeking judicial review has expired. If a timely appeal is filed, the order is automatically stayed until final disposition by the court.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts), State Ethics Commission, Department of Legislative Services

Fiscal Note History: First Reader - February 10, 2004
mam/mdr

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