_____

By: **Chairman, Budget and Taxation Committee (By Request - Maryland
        Judicial Conference)**
Introduced and read first time: February 3, 2006
Assigned to: Budget and Taxation
_____

A BILL ENTITLED

1 AN ACT concerning

2   **Circuit Courts - Funding for Judicial Law Clerks**

3 FOR the purpose of repealing certain provisions relating to a requirement that
4   counties and Baltimore City reimburse the Administrative Office of the Courts
5   for a certain percentage of the salary and other expenses for law clerks for
6   circuit court judges; requiring the counties and Baltimore City to continue to
7   reimburse the Administrative Office of the Courts for certain money that is
8   owed as of a certain date; providing that money in a certain fund will be
9   disbursed in a certain manner; requiring the Comptroller to withhold a certain
10   tax from a county or Baltimore City if the Administrative Office of the Courts
11   certifies that the county or Baltimore City is in arrears in paying the amounts
12   due under certain provisions of law as they were in effect on a certain date and
13   under this Act and to distribute the money to the Administrative Office of the
14   Courts in a certain amount; and generally relating to the funding for law clerks.

15 BY repealing and reenacting, with amendments,
16   Article - Courts and Judicial Proceedings
17   Section 2-512
18   Annotated Code of Maryland
19   (2002 Replacement Volume and 2005 Supplement)

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

22   **Article - Courts and Judicial Proceedings**

23 2-512.

24   (a)   Each circuit court judge shall have one law clerk, to be employed by the
25 State.

26   (b)   The budget for the Administrative Office of the Courts shall include funds
27 to employ one law clerk for each circuit court judge.

1   [(c)   (1)   Each county and Baltimore City shall reimburse the Administrative
2 Office of the Courts for 25% of the salary and other expenses to employ one law clerk
3 for each circuit court judge in the county or Baltimore City.

4   (2)   The amounts received under this subsection shall be credited to a
5 special fund, to be used only to provide funds to employ law clerks for each circuit
6 court judge as provided in this section.

7   (3)   Notwithstanding Title 2, Subtitle 6 of the Tax - General Article, if the
8 Administrative Office of the Courts certifies to the Comptroller that a county or
9 Baltimore City is more than 90 days in arrears in paying the amounts due under this
10 subsection, the Comptroller shall withhold from the county income tax otherwise due
11 to be distributed to the county or Baltimore City and shall pay to the Administrative
12 Office of the Courts the amount due.]

13   SECTION 2. AND BE IT FURTHER ENACTED, That:

14   (1)   the counties and Baltimore City shall continue to reimburse the
15 Administrative Office of the Courts for all money owed as of June 30, 2006, to the
16 special fund created under § 2-512(c)(2) of the Courts and Judicial Proceedings
17 Article as it was in effect on June 30, 2006; and

18   (2)   any money remaining in the fund shall be disbursed as required by §
19 2-512(c) of the Courts and Judicial Proceedings Article as it was in effect on June 30,
20 2006.

21   SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding Title 2,
22 Subtitle 6 of the Tax - General Article, if the Administrative Office of the Courts
23 certifies to the Comptroller that a county or Baltimore City is more than 90 days in
24 arrears in paying the amounts due under § 2-512(c) of the Courts and Judicial
25 Proceedings Article as it was in effect on June 30, 2006, or under Section 2 of this Act,
26 the Comptroller shall withhold from the county income tax otherwise due to be
27 distributed to the county or Baltimore City and shall pay to the Administrative Office
28 of the Courts the amount due.

29   SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 July 1, 2006.