

HOUSE BILL 1216

N2

9lr0999
CF 9lr0864

By: **Delegates Hixson and Beitzel**

Introduced and read first time: February 13, 2009

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Register of Wills – Salary**

3 FOR the purpose of increasing the maximum annual salary that the Board of Public
4 Works may set for a register of wills; providing that this Act does not apply to
5 the salary or compensation of an incumbent register of wills during the current
6 term of office; and generally relating to the salary for the register of wills.

7 BY repealing and reenacting, with amendments,
8 Article – Estates and Trusts
9 Section 2–205
10 Annotated Code of Maryland
11 (2001 Replacement Volume and 2008 Supplement)

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

14 **Article – Estates and Trusts**

15 2–205.

16 (a) (1) It is the intent of this section that each register shall receive a fair
17 and adequate compensation for the effort and duties required of the register by the
18 register's office.

19 (2) The volume and character of work done by the register shall be in
20 comparison to the salary fixed by the Board of Public Works for each of the other
21 registers.

22 (b) (1) Each register is entitled to receive an annual salary of not more
23 than [\$98,500,] **\$114,500**, to be determined in each instance by the Board of Public
24 Works.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) In determining the annual salary of the register, the Board of
2 Public Works shall be guided in the exercise of its discretion by:

3 (i) The population of the county determined by the last official
4 United States census;

5 (ii) The dollar volume of total fees and taxes collected and
6 excess fees turned over to the State for each of the preceding 5 years by the office of
7 the register for which the salary is being fixed; and

8 (iii) Other pertinent data which have relation to the
9 reasonableness of the salary in relation to the work done and volume handled by the
10 office.

11 (c) The minimum annual salary for the register in Baltimore City is \$12,000.

12 (d) (1) The salaries of the registers shall be paid semimonthly from the
13 fees and receipts of the office, after deducting the expenses of the office.

14 (2) Expenses include salaries of deputies and clerks, books, stationery,
15 office supplies, and other necessary and customary expenses of doing business.

16 (e) (1) If the fees and receipts of the office are insufficient in any fiscal
17 year to pay all or a part of the expenses of the office and authorized salary of a
18 register, the deficiency shall be funded from the taxes remitted to the Comptroller of
19 the treasury by the register during that fiscal year. Written authority for the transfer
20 of funds shall be first obtained from the State Comptroller.

21 (2) In the event that tax collections for the fiscal year are insufficient,
22 the Comptroller shall make up the deficit from excess fees remitted from all other
23 registers.

24 SECTION 2. AND BE IT FURTHER ENACTED, That, pursuant to Article III, §
25 35 of the Maryland Constitution, this Act may not be construed to extend or apply to
26 the salary or compensation of the registers of wills in office on the effective date of this
27 Act, but the provisions of this Act concerning the salary or compensation of the
28 register of wills shall take effect at the beginning of the next following term of office.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2009.