

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 617 (Delegate McConkey, *et al.*)  
Health and Government Operations Education, Health, and Environmental Affairs

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State Government - Refund of Fees - Policy

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This bill specifies that it is the policy of the State that a unit must, to the extent practicable, refund a fee paid by a person if the person paid the fee in error. “Unit” means a department, agency, board, office, commission, or other body in State government that is (1) created under State law and (2) authorized to charge a person a fee for a license, permit, or other service. “Unit” includes the sheriff of each county and the sheriff’s deputies.

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Fiscal Summary

**State Effect:** Assuming that the bill codifies the existing practice of governmental units, the bill is not expected to materially affect State finances.

**Local Effect:** Assuming that the bill codifies the existing practice of governmental units, the bill is not expected to materially affect local government finances.

**Small Business Effect:** None.

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Analysis

**Current Law:** Statute is silent as to the State’s policy on the refund of fees paid in error. However, State and local units of government generally report that their current practice is to refund such fees.

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## **Additional Information**

**Prior Introductions:** HB 148 of 2013, passed the House, but received an unfavorable report from the Senate Education, Health, and Environmental Affairs Committee.

**Cross File:** None.

**Information Source(s):** Baltimore, Carroll, Harford, Queen Anne's, and St. Mary's counties; Maryland Department of Agriculture; Department of Business and Economic Development; Maryland Department of Planning; Maryland State Department of Education; Maryland Department of the Environment; Department of General Services; Department of Housing and Community Development; Maryland Higher Education Commission; Judiciary (Administrative Office of the Courts); Department of Juvenile Services; Department of State Police; Department of Public Safety and Correctional Services; Register of Wills; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2014  
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