

SENATE BILL 636

L2

5lr2663
CF HB 793

By: **Washington County Senators**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2015

CHAPTER _____

1 AN ACT concerning

2 **Washington County – County Clerk**

3 FOR the purpose of altering the duties of the County Clerk of Washington County;
4 repealing a requirement that the County Clerk execute a certain bond before
5 beginning the duties of the office; repealing a requirement that the bond of the
6 County Clerk be recorded and be liable for a certain default or misappropriation of
7 certain money or funds; repealing a requirement that each Washington County
8 agency file with the County Clerk the names and addresses of all attorneys
9 representing the agency; repealing a requirement that each Washington County
10 agency file with the County Clerk the names and addresses of all members of the
11 agency who are attorneys; repealing requirements that the County Clerk maintain
12 certain lists of names filed by each Washington County agency; and generally
13 relating to the County Clerk of Washington County.

14 BY repealing and reenacting, with amendments,
15 The Public Local Laws of Washington County
16 Section 1–202(a), 3–602, and 3–603
17 Article 22 – Public Local Laws of Maryland
18 (2007 Edition and October 2010 Supplement, as amended)

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

21 **Article 22 – Washington County**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 1-202.

2 (a) (1) The County Clerk shall:

3 (i) Keep careful and accurate minutes of the proceedings of the
4 County Commissioners;

5 (ii) Keep all records, papers and documents of the county in safe
6 custody; and

7 (iii) Perform other duties imposed upon clerks of County
8 Commissioners by any general or local law and other clerical duties required of the County
9 Clerk by order of the County Commissioners.

10 (2) [(i) Before beginning the duties of the office of the County Clerk, the
11 County Clerk shall execute a \$10,000 bond to the State of Maryland, to be approved by a
12 judge of the Circuit Court of Washington County, conditioned on the true and faithful
13 performance of the duties of the office. The bond shall provide that the County Clerk shall
14 well and faithfully account for and pay to the proper person all money, orders, or funds
15 coming into the County Clerk's hands.

16 (ii) The bond shall be liable for any default by the County Clerk or
17 misappropriation of any of the county's money or funds which are entrusted to the County
18 Clerk, and shall be recorded in the office of the Clerk of the Circuit Court for Washington
19 County.

20 (3)] All necessary books and stationery required by the County Clerk shall
21 be supplied by the County Commissioners and shall remain the property of the County
22 Commissioners.

23 3-602.

24 [(a) Any attorney who represents any agency or any member of that attorney's
25 firm may not represent a person in any proceeding before or with the agency.

26 [(b) (1) Each agency shall file with the Clerk of the County Commissioners the
27 names and addresses of any and all attorneys representing the agencies.

28 (2) The Clerk shall maintain a list of such names, which shall be a matter
29 of public record and open to inspection by the public during normal office hours.]

30 3-603.

31 [(a) An attorney who is a member of any agency or any member of that attorney's
32 firm may not represent a person in any proceeding before or with the agency.

1 **[(b) (1)** Each agency shall file with the Clerk of the County Commissioners the
2 names and addresses of any and all members of the agency who are attorneys.

3 **(2)** The Clerk shall maintain a list of such names, which shall be a matter
4 of public record and open to inspection by the public during normal office hours.]

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.