

HOUSE BILL 545

D3

8lr0925

By: **Delegates Ali, Gibson, Morales, Mosby, and Proctor**

Introduced and read first time: January 26, 2018

Assigned to: Environment and Transportation and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Landlord–Tenant Action – Body Attachment – Prohibition**
3 **(Jared Kushner Act)**

4 FOR the purpose of prohibiting a court from issuing a body attachment for a tenant who is
5 a defendant in a landlord–tenant action in which the amount of rent claimed does
6 not exceed a certain amount; and generally relating to the issuance of a body
7 attachment in a landlord–tenant action.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 6–411
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2017 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 6–411.

17 (a) **[An] SUBJECT TO SUBSECTION (C) OF THIS SECTION,** AN individual
18 arrested for failure to appear in court to show cause why the individual should not be found
19 in contempt for failure to answer interrogatories or to appear for an examination in aid of
20 enforcement of a money judgment shall be taken immediately:

21 (1) If the court is in session, before the court that issued the order that
22 resulted in the arrest; or

23 (2) If the court is not in session, before a judicial officer of the District Court

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 for a determination of appropriate conditions of release to ensure the individual's
2 appearance at the next session of the court that issued the order that resulted in the arrest.

3 (b) If a judicial officer determines that the individual should be released on other
4 than personal recognizance without any additional conditions, the judicial officer shall
5 impose on the individual the least onerous condition or combination of conditions that will
6 reasonably ensure the appearance of the individual as required.

7 (c) **A COURT MAY NOT ISSUE A BODY ATTACHMENT FOR A TENANT WHO IS A**
8 **DEFENDANT IN A LANDLORD-TENANT ACTION IN WHICH THE AMOUNT OF RENT**
9 **CLAIMED DOES NOT EXCEED \$5,000, EXCLUSIVE OF INTEREST AND COSTS.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2018.