

# HOUSE BILL 349

D3  
SB 657/21 – JPR

2lr2848  
CF SB 452

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By: **Delegate Moon**

Introduced and read first time: January 19, 2022

Assigned to: Judiciary

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Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2022

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Small Claims – Examination in Aid of Enforcement – Prohibition on Arrest or**  
3 **Incarceration for Failure to Appear**

4 FOR the purpose of prohibiting an individual from being arrested or incarcerated for failure  
5 to respond to certain orders to appear in court relating to an examination in aid of  
6 enforcement of a money judgment entered in a small claim action in the District  
7 Court; and generally relating to enforcement of certain money judgments.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 11–704

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2021 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 **11–704.**

17 **AN INDIVIDUAL MAY NOT BE ARRESTED OR INCARCERATED FOR FAILURE TO**  
18 **RESPOND TO AN ORDER TO APPEAR IN COURT:**

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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) FOR AN EXAMINATION IN AID OF ENFORCEMENT OF A MONEY**  
2 **JUDGMENT ENTERED IN A SMALL CLAIM ACTION IN THE DISTRICT COURT; OR**

3           **(2) TO SHOW CAUSE WHY THE INDIVIDUAL SHOULD NOT BE FOUND IN**  
4 **CONTEMPT FOR FAILURE TO APPEAR IN COURT FOR AN EXAMINATION IN AID OF**  
5 **ENFORCEMENT OF A MONEY JUDGMENT ENTERED IN A SMALL CLAIM ACTION IN THE**  
6 **DISTRICT COURT.**

7           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to:

8           (1) any order to appear for an examination in aid of enforcement of a money  
9 judgment entered in a small claim action in the District Court on or after the effective date  
10 of this Act; and

11           (2) any show cause order for contempt for failure to appear in court for an  
12 examination in aid of enforcement of a money judgment entered in a small claim action in  
13 the District Court on or after the effective date of this Act.

14           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2022.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.