

SENATE BILL 662

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2lr2594
CF HB 724

By: **Senators Zucker, Elfreth, Feldman, Griffith, Guzzone, Hettleman, Jackson, King, Lee, Smith, and Waldstreicher**

Introduced and read first time: February 4, 2022

Assigned to: Judicial Proceedings and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2022

CHAPTER _____

1 AN ACT concerning

2 **Access to Counsel in Evictions Special Fund – Funding**

3 FOR the purpose of requiring the Comptroller to distribute a certain amount of certain
4 abandoned property funds to the Access to Counsel in Evictions Special Fund; and
5 generally relating to the Access to Counsel in Evictions Special Fund.

6 BY repealing and reenacting, without amendments,

7 Article – Commercial Law

8 Section 17–101(a) and (c)

9 Annotated Code of Maryland

10 (2013 Replacement Volume and 2021 Supplement)

11 BY repealing and reenacting, with amendments,

12 Article – Commercial Law

13 Section 17–317(a)

14 Annotated Code of Maryland

15 (2013 Replacement Volume and 2021 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Real Property

18 Section 8–909

19 Annotated Code of Maryland

20 (2015 Replacement Volume and 2021 Supplement)

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

3 **Article – Commercial Law**

4 17–101.

5 (a) In this title the following words have the meanings indicated.

6 (c) “Administrator” means the State Comptroller.

7 17–317.

8 (a) (1) (i) All funds received under this title, including the proceeds of the
9 sale of abandoned property under § 17–316 of this subtitle, shall be credited by the
10 Administrator to a special fund.

11 (ii) The Administrator shall retain in the special fund at the end of
12 each fiscal year, from the proceeds received, an amount not to exceed \$50,000, from which
13 sum the Administrator shall pay any claim allowed under this title.

14 (2) After deducting all costs incurred in administering this title from the
15 remaining net funds the Administrator shall distribute \$8,000,000 to the Maryland Legal
16 Services Corporation Fund established under § 11–402 of the Human Services Article.

17 (3) (i) Subject to subparagraph (ii) of this paragraph, the Administrator
18 shall distribute all unclaimed money from judgments of restitution under Title 11, Subtitle
19 6 of the Criminal Procedure Article to the State Victims of Crime Fund established under
20 § 11–916 of the Criminal Procedure Article to assist victims of crimes and delinquent acts
21 to protect the victims’ rights as provided by law.

22 (ii) If a victim entitled to restitution that has been treated as
23 abandoned property under § 11–614 of the Criminal Procedure Article is located after the
24 money has been distributed under this paragraph, the Administrator shall reduce the next
25 distribution to the State Victims of Crime Fund by the amount recovered by the victim.

26 (4) For fiscal years 2022 and 2023, after making the distributions required
27 under paragraphs (2) and (3) of this subsection, the Administrator shall distribute \$250,000
28 from the remaining net funds to the Tax Clinics for Low–Income Marylanders Fund
29 established under § 1–206 of the Tax – General Article.

30 **(5) FOR FISCAL YEAR ~~2023~~ 2024, AFTER MAKING THE DISTRIBUTIONS**
31 **REQUIRED UNDER PARAGRAPHS (2), (3), AND (4) OF THIS SUBSECTION, THE**
32 **ADMINISTRATOR SHALL DISTRIBUTE ~~\$11,800,000~~ \$14,000,000 FROM THE**
33 **REMAINING NET FUNDS TO THE ACCESS TO COUNSEL IN EVICTIONS SPECIAL FUND**
34 **UNDER § 8–909 OF THE REAL PROPERTY ARTICLE.**

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1 (3) Administrative expenses of MLSC; and

2 (4) Expenses related to the study and evaluation of:

3 (i) Services and activities provided under this subtitle; and

4 (ii) Funding amounts and sources necessary to fully effectuate
5 access to counsel in eviction proceedings.

6 (g) (1) The State Treasurer shall invest the money of the Fund in the same
7 manner as other State money may be invested.

8 (2) Any interest earnings of the Fund shall be credited to the Fund.

9 (h) **(1)** Expenditures from the Fund may be made only in accordance with the
10 State budget.

11 **(2) FOR FISCAL YEAR 2024, THE GOVERNOR SHALL INCLUDE IN THE**
12 **ANNUAL BUDGET BILL AN APPROPRIATION OF \$14,000,000 FROM THE FUND TO**
13 **MLSC.**

14 (i) Money expended from the Fund is supplemental to and is not intended to take
15 the place of funding that otherwise would be appropriated for civil legal services from any
16 other source.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2022. It shall remain effective for a period of ~~1 year~~ 2 years and 6 months and, at the end
19 of December 31, ~~2023~~ 2024, this Act, with no further action required by the General
20 Assembly, shall be abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.