

May 27, 2022

The Honorable Bill Ferguson  
President of the Maryland Senate  
H-107 State House  
Annapolis, MD 21401

The Honorable Adrienne A. Jones  
Speaker of the House of Delegates  
H-101 State House  
Annapolis, MD 21401

Dear Mr. President and Madam Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 452 and House Bill 349 – *Small Claims – Examination in Aid of Enforcement and Interrogatories in Aid of Execution – Prohibition*.

Senate Bill 452 and House Bill 349 are troubling bills that will effectively eliminate the ability for a creditor or plaintiff to collect the money a court has determined they are entitled to by prohibiting the court from ordering the defendant to appear before court to answer questions about available assets that may be available to pay the judgment, as well as answering written interrogatories in aid of execution of the money judgment.

Currently, the onus to collect a money judgment is on the plaintiff or creditor. After granting a money judgment, the court does not collect the money. If a defendant does not voluntarily pay the judgment or provide information regarding their assets, the written interrogatories and oral examination in aid of execution are the remaining remedies to gather the information regarding the defendant's assets that, by law, the plaintiff is entitled to. Without these tools, the plaintiff or creditors may file inaccurate garnishment petitions based on their own limited knowledge, which may result in garnishments or levies on property that cannot be completed, delayed collections of judgments, and additional petitions, all at the plaintiff's time and expense. Under this bill, the defendant has no incentive to pay the judgment or be cooperative because there are no repercussions, leaving the plaintiff with a piece of paper that is largely unenforceable. While this bill only applies to small claims where the maximum amount involved is \$5,000, for some plaintiffs being unable to collect on a judgment would be a real hardship.

We share the goal of ensuring that failure to pay a debt does not result in egregious, punitive action; however, this legislation goes too far by leaving no tangible avenue for a plaintiff to collect money that the court has ordered the debtor to pay.

For these reasons, I have vetoed Senate Bill 452 and House Bill 349.

Sincerely,

Lawrence J. Hogan, Jr.  
Governor