

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 67

(Senator Beidle)

Judicial Proceedings

Judiciary

Clerks of the Circuit Courts - Civil Commissions - Presentation and Reporting

This bill amends statutory provisions relating to the duties of a clerk of a circuit court regarding civil commissions and the requirements for appointees to a civil commission.

Fiscal Summary

State Effect: None. The bill codifies existing practice.

Local Effect: None. The bill codifies existing practice.

Small Business Effect: None.

Analysis

Bill Summary/Current Law: Under existing statute, when the Governor issues a civil commission and the Secretary of State delivers the commission to the clerk of a circuit court, the clerk immediately must deliver the commission to the person to whom the commission is directed and who applies for the commission. The bill requires the appointee to contact the clerk to coordinate a time and place for the clerk to administer the appointee's oath of office and present the commission.

Existing statutory provisions in the Courts and Judicial Proceedings Article and the General Provisions Article require, at least once a month, the clerk of a circuit court to report to the Secretary of State the name and office of each officer who has taken an oath before the clerk. The bill replaces these requirements to report *at least once a month* with requirements to report *regularly*.

In addition, the bill repeals obsolete requirements in statute (1) prohibiting the clerk of a circuit court from administering the oath of office to any officer until the officer has paid the tax on the officer's commission that is required by law and (2) specifying the dates when the clerk must pay to the Treasurer all money received for taxes on commissions.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Secretary of State; Maryland State Treasurer's Office; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2023
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