

SENATE BILL 147

N1

4lr1537

(PRE-FILED)

By: **Senator West**

Requested: November 1, 2023

Introduced and read first time: January 10, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Access to Counsel in Evictions Program – Mandated Reports**

3 FOR the purpose of altering the information relating to the Access to Counsel in Evictions
4 Program required to be reported by the Maryland Legal Services Corporation each
5 year; and generally relating to mandated reports and the Access to Counsel in
6 Evictions Program.

7 BY repealing and reenacting, without amendments,
8 Article – Real Property
9 Section 8–901(a), (c), (d), (f), and (g) and 8–903
10 Annotated Code of Maryland
11 (2023 Replacement Volume)

12 BY repealing and reenacting, with amendments,
13 Article – Real Property
14 Section 8–907
15 Annotated Code of Maryland
16 (2023 Replacement Volume)

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

19 **Article – Real Property**

20 8–901.

21 (a) In this subtitle the following words have the meanings indicated.

22 (c) “Covered individual” means an individual who:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) Occupies a residential property under a claim of legal right other than
2 owner, including a tenant in a building owned, operated, or managed by a public housing
3 authority; and

4 (2) Is a member of a household with an income that is not greater than 50%
5 of the median income, adjusted for household size, in the State as determined by the United
6 States Department of Health and Human Services or its successor.

7 (d) “Designated organization” means a nonprofit entity designated by MLSC with
8 the ability to provide legal representation to covered individuals.

9 (f) “Legal representation” includes all representation by an attorney beyond brief
10 legal advice and is not limited to the formal entry of appearance in court.

11 (g) “MLSC” means the Maryland Legal Services Corporation.

12 8–903.

13 (a) There is an Access to Counsel in Evictions Program administered by MLSC.

14 (b) The purpose of the Program is to organize and direct services and resources
15 in order to provide all covered individuals in the State with access to legal representation
16 as required under this subtitle.

17 8–907.

18 On or before August 31 each year, MLSC shall report to the Governor and, in
19 accordance with § 2–1257 of the State Government Article, the General Assembly **THE**
20 **FOLLOWING INFORMATION FOR THE IMMEDIATELY PRECEDING FISCAL YEAR:**

21 (1) The number of **CASES IN WHICH A** covered [individuals] **INDIVIDUAL**
22 **WAS** provided legal representation [during the previous fiscal year], **DISAGGREGATED BY**
23 **CASE TYPE, INCLUDING:**

24 (I) **NONPAYMENT OF RENT UNDER § 8–401 OF THIS TITLE;**

25 (II) **TENANT HOLDOVER UNDER § 8–402 OF THIS TITLE; AND**

26 (III) **BREACH OF LEASE UNDER § 8–402.1 OF THIS TITLE;**

27 (2) [Information on and metrics evaluating case outcomes] **THE AMOUNT**
28 **PAID TO ATTORNEYS FOR EACH CASE MANAGED; [and]**

29 (3) [A summary of the engagement and education of tenants] **THE**
30 **GEOGRAPHIC DISTRIBUTION OF CASES;**

1 **(4) DATA ON THE DISPOSITION OF CASES DECIDED;**

2 **(5) THE AMOUNT OF STATE AND FEDERAL FUNDS ALLOCATED TO**
3 **EACH DESIGNATED ORGANIZATION; AND**

4 **(6) THE NUMBER OF COVERED INDIVIDUALS PROVIDED LEGAL**
5 **REPRESENTATION FOR MULTIPLE CASES.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2024.