

SB0067 Clerks of the Circuit Courts – Civil Commissions – Presenting and Reporting
Judiciary Committee – March 29, 2023
Sponsor: Senator Pamela Beidle
Position: Favorable

Testimony of Kevin Tucker, President, Maryland Circuit Court Clerks' Association

The Clerk's of the Circuit Court are in support of Senate Bill 67 and request a favorable report from the committee. We feel that the proposed changes as outlined in the bill, when applied to the relevant articles, will cause our offices to operate in a manner more consistent with the current practices of the offices that issue and record these commissions.

Currently, an appointee is notified of their appointment by the Governor's Appointment Office and subsequently contact the Clerk's Office to establish a time to be sworn and receive their commission. Upon receipt of the commission by the Clerk's office, there is no contact information provided that would prompt the Clerk to contact the appointee as required by Courts and Judicial Proceedings §2-211.

After the oath is administered by the Clerk's Office, the appointee and the oath giver sign a postcard that is mailed to the Secretary of State's Office in the normal course of business. These cards are generally mailed daily and are not held to be returned monthly as outlined by Courts and Judicial Proceedings §2-212(a) and General Provisions §2-302(a).

The withholding of an oath of office is no longer controlled by the Clerk's Office as is allude to in Courts and Judicial Proceedings §2-212(b). Generally, in the event of a commission issued due to an election, the State Board of Elections will not release the commission until all required fees and/or penalties are paid are paid by the candidate.

Each of these three changes more fully reflect the current processes under which the Clerk's Offices operate as related to the procedures of the Governor's Appointment Office, the Secretary of State, and the State Board of Elections.

In closing, many thanks go out to Senator Beidle for sponsoring this bill. I would also like to thank the committee for allowing me the opportunity to provide comments in favor of SB67.

I am here to answer any questions that the committee may have.