

SENATE BILL 351

O2, D1
SB 658/19 – JPR

3lr1815
CF 3lr1817

By: **Senator M. Washington**

Introduced and read first time: January 30, 2023

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Legal Services Corporation – Affordable Life, Wills, and Estate**
3 **Planning for Seniors Program**

4 FOR the purpose of establishing the Affordable Life, Wills, and Estate Planning for Seniors
5 Program in the Maryland Legal Services Corporation; and generally relating to the
6 Affordable Life, Wills, and Estate Planning for Seniors Program and the Maryland
7 Legal Services Corporation.

8 BY adding to
9 Article – Human Services
10 Section 11–605
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2022 Supplement)

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

15 **Article – Human Services**

16 **11–605.**

17 **(A) IN THIS SECTION, “PROGRAM” MEANS THE AFFORDABLE LIFE, WILLS,**
18 **AND ESTATE PLANNING FOR SENIORS PROGRAM.**

19 **(B) (1) THERE IS AN AFFORDABLE LIFE, WILLS, AND ESTATE PLANNING**
20 **FOR SENIORS PROGRAM IN THE CORPORATION.**

21 **(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE SENIORS WITH**
22 **MODERATE FINANCIAL MEANS ACCESS TO AFFORDABLE CIVIL LAW-RELATED**
23 **SERVICES.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE PROVISION OF SERVICES UNDER THE PROGRAM SHALL BE IN ACCORDANCE WITH THIS TITLE.

(2) NOTWITHSTANDING THE MAXIMUM INCOME LEVELS FOR CLIENT ELIGIBILITY ESTABLISHED BY THE CORPORATION UNDER § 11-603 OF THIS SUBTITLE, A CLIENT SHALL BE ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF THE CLIENT:

(I) IS AT LEAST 65 YEARS OLD; AND

(II) HAS A FAMILY INCOME THAT DOES NOT EXCEED 75% OF THE MEDIAN FAMILY INCOME FOR THE STATE AS CERTIFIED ANNUALLY BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(D) THE PROGRAM SHALL:

(1) ESTABLISH AN INTAKE METHOD, WHICH MAY INCLUDE A REFERRAL HOTLINE, TO SCREEN CLIENTS BY ELIGIBILITY AND BY LEGAL NEED;

(2) ESTABLISH AN OUTREACH METHOD FOR MATCHING ELIGIBLE CLIENTS TO A GRANTEE UNDER SUBTITLE 5 OF THIS TITLE; AND

(3) PROVIDE FOR THE SERVICES OF AT LEAST ONE FULL-TIME ATTORNEY TO REPRESENT ELIGIBLE CLIENTS, PARTICULARLY IN RURAL COMMUNITIES, WHEN NO OTHER ATTORNEYS ARE READILY AVAILABLE.

(E) THE CORPORATION SHALL PUBLICIZE THE PROGRAM, INCLUDING IN RURAL COMMUNITIES.

(F) THE PROGRAM SHALL PROVIDE ELIGIBLE CLIENTS WITH LEGAL SERVICES CONCERNING PRIMARILY:

(1) LAST WILL AND TESTAMENTS;

(2) POWERS OF ATTORNEY;

(3) SPECIAL NEEDS TRUSTS; AND

(4) ADVANCE HEALTH CARE DIRECTIVES.

1 **(G) (1) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET AN**
2 **APPROPRIATION OF \$500,000 FOR THE PROGRAM.**

3 **(2) IN ADDITION TO THE FUNDS MADE AVAILABLE FOR THE PROGRAM**
4 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE CORPORATION MAY SEEK FUNDS**
5 **FROM ANY OTHER SOURCE TO AID IN THE ADMINISTRATION OF THE PROGRAM.**

6 **(H) ON OR BEFORE DECEMBER 1 EACH YEAR, BEGINNING IN 2023, THE**
7 **CORPORATION SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH §**
8 **2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE**
9 **IMPLEMENTATION AND UTILIZATION OF THE PROGRAM.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2023.