D1, P3 Olr2278 CF HB 1009

By: Senators West, Smith, Carozza, Elfreth, Hayes, Klausmeier, and Ready

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1	AN ACT concerning
2 3	Adjudicatory Hearings – Attorney Security Passes for Attorneys in Good Standing
4	FOR the purpose of requiring the Administrative Office of the Courts to adopt certain
5	procedures in consultation with the Maryland State Bar Association relating to
6	certain attorney security passes; authorizing the Maryland State Bar Association to
7	manage and administer the issuance of an attorney security pass; providing that
8	certain provisions of this Act supersede certain inconsistent provisions; providing for
9	the construction of certain provisions of this Act; requiring the Secretary of General
10	Services, in consultation with the Maryland State Bar Association, to adopt
11	regulations providing for the acceptance of an attorney security pass at a certain
12	State facility; defining a certain term; and generally relating to attorney security
13	passes.
14	BY adding to
15	Article – Courts and Judicial Proceedings
16	Section 13–101.2
17	Annotated Code of Maryland
18	(2013 Replacement Volume and 2019 Supplement)
19	BY repealing and reenacting, with amendments,
20	Article – State Finance and Procurement
21	Section 4–607
22	Annotated Code of Maryland
23	(2015 Replacement Volume and 2019 Supplement)
24	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25	That the Laws of Maryland read as follows:
26	Article - Courts and Judicial Proceedings

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **13–101.2.**
- 2 (A) IN THIS SECTION, "ATTORNEY SECURITY PASS" MEANS A PHOTO
- 3 IDENTIFICATION CARD ISSUED BY THE MARYLAND STATE BAR ASSOCIATION WITH
- 4 THE AID OF A SHERIFF'S OFFICE OR OTHER LAW ENFORCEMENT AGENCY THAT
- 5 AUTHORIZES AN ATTORNEY IN GOOD STANDING TO ENTER A STATE COURT FACILITY
- 6 WITHOUT SCREENING BY SECURITY FOR THE FACILITY.
- 7 (B) THE ADMINISTRATIVE OFFICE OF THE COURTS, IN CONSULTATION 8 WITH THE MARYLAND STATE BAR ASSOCIATION, SHALL ADOPT PROCEDURES:
- 9 (1) ESTABLISHING CRITERIA FOR THE ISSUANCE, RENEWAL, DENIAL,
- 10 AND REVOCATION OF ATTORNEY SECURITY PASSES; AND
- 11 (2) FOR THE STATEWIDE ACCEPTANCE OF ATTORNEY SECURITY
- 12 PASSES AT STATE COURT FACILITIES.
- 13 (C) THE MARYLAND STATE BAR ASSOCIATION MAY MANAGE AND
- 14 ADMINISTER A PROGRAM FOR THE ISSUANCE OF ATTORNEY SECURITY PASSES,
- 15 INCLUDING BY:
- 16 (1) COMMUNICATING TO ATTORNEYS CRITERIA AND PROCEDURES
- 17 FOR OBTAINING AN ATTORNEY SECURITY PASS; AND
- 18 (2) COLLECTING FEES DIRECTLY RELATED TO THE MANAGEMENT
- 19 AND ADMINISTRATION OF THE PROGRAM.
- 20 (D) THE PROVISIONS OF THIS SECTION SUPERSEDE ANY INCONSISTENT
- 21 PROVISIONS ESTABLISHED IN LAW OR POLICY BY A LOCAL JURISDICTION OR UNIT
- 22 OF STATE GOVERNMENT.
- 23 (E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PROHIBIT THE
- 24 PERIODIC SECURITY SCREENING OF AN INDIVIDUAL HOLDING AN ATTORNEY
- 25 SECURITY PASS.

26 Article – State Finance and Procurement

- 27 4–607.
- 28 (a) The Secretary may adopt regulations for the operation, maintenance, and
- 29 security of the improvements, grounds, and multiservice centers under the jurisdiction of
- 30 the Department.
- 31 (B) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND STATE BAR

- 1 ASSOCIATION, SHALL ADOPT REGULATIONS PROVIDING FOR THE ACCEPTANCE OF
- 2 AN ATTORNEY SECURITY PASS ISSUED UNDER § 13–101.2 OF THE COURTS ARTICLE
- 3 AT EACH STATE FACILITY UNDER THE JURISDICTION OF THE DEPARTMENT THAT
- 4 HOUSES A UNIT OF STATE GOVERNMENT RESPONSIBLE FOR CONDUCTING
- 5 ADMINISTRATIVE HEARINGS.
- 6 [(b)] (C) Any regulation adopted under this section shall be conspicuously 7 posted.
- 8 **[(c)] (D)** A person who violates a regulation adopted under this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$20 plus costs. A person who fails to pay any fine or costs imposed under this section may be imprisoned in jail for a period not exceeding 30 days.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 13 October 1, 2020.