

SENATE BILL 452

D3
HB 848/21 – JUD

2lr2001
CF HB 349

By: **Senator Smith**

Introduced and read first time: January 27, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Small Claims – Examination in Aid of Enforcement – Prohibition on Arrest or**
3 **Incarceration for Failure to Appear**

4 FOR the purpose of prohibiting an individual from being arrested or incarcerated for failure
5 to respond to certain orders to appear in court relating to an examination in aid of
6 enforcement of a money judgment entered in a small claim action in the District
7 Court; and generally relating to enforcement of certain money judgments.

8 BY adding to
9 Article – Courts and Judicial Proceedings
10 Section 11–704
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2021 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 **11–704.**

17 **AN INDIVIDUAL MAY NOT BE ARRESTED OR INCARCERATED FOR FAILURE TO**
18 **RESPOND TO AN ORDER TO APPEAR IN COURT:**

19 **(1) FOR AN EXAMINATION IN AID OF ENFORCEMENT OF A MONEY**
20 **JUDGMENT ENTERED IN A SMALL CLAIM ACTION IN THE DISTRICT COURT; OR**

21 **(2) TO SHOW CAUSE WHY THE INDIVIDUAL SHOULD NOT BE FOUND IN**
22 **CONTEMPT FOR FAILURE TO APPEAR IN COURT FOR AN EXAMINATION IN AID OF**
23 **ENFORCEMENT OF A MONEY JUDGMENT ENTERED IN A SMALL CLAIM ACTION IN THE**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **DISTRICT COURT.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to:

3 (1) any order to appear for an examination in aid of enforcement of a money
4 judgment entered in a small claim action in the District Court on or after the effective date
5 of this Act; and

6 (2) any show cause order for contempt for failure to appear in court for an
7 examination in aid of enforcement of a money judgment entered in a small claim action in
8 the District Court on or after the effective date of this Act.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2022.