

SENATE BILL 351

O2, D1
SB 658/19 – JPR

3lr1815
CF HB 760

By: **Senator M. Washington**

Introduced and read first time: January 30, 2023

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 11, 2023

CHAPTER _____

1 AN ACT concerning

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE ELIGIBLE SENIORS ~~WITH MODERATE FINANCIAL MEANS~~ ACCESS TO AFFORDABLE CIVIL LAW-RELATED SERVICES.

(C) ~~(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~
~~THE~~ 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 PROVIDE:

(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 A GRANT PROGRAM TO FUND GRANTEEES REPRESENTING~~
~~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; AND

(5) LIFE ESTATE DEEDS.

(G) THE CORPORATION MAY CONTRACT WITH A GRANTEE TO PROVIDE ALL OR PART OF THE SERVICES REQUIRED UNDER THIS SECTION.

~~(G)~~ (H) (1) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET AN APPROPRIATION OF ~~\$500,000~~ \$225,000 FOR THE PROGRAM.

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.