

HOUSE BILL 349

D3
SB 657/21 – JPR

2lr2848
CF SB 452

By: **Delegate Moon**

Introduced and read first time: January 19, 2022

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2022

CHAPTER _____

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:**

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.



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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.