

SB0288/778572/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 288
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Lee” and substitute “Senators Lee, Brochin, Cassilly, Gladden, Hough, Muse, Ramirez, Raskin, Ready, and Zirkin”; in line 8, strike “lienholders and certain”; in line 10, after “circumstances;” insert “requiring that an order to freeze assets be served on certain financial institutions in accordance with the Maryland Rules and include certain information; providing that a financial institution is not obligated to restrict access to money described in a petition to freeze assets until the occurrence of certain events;”; and strike beginning with “specifying” in line 12 down through “lien;” in line 14.

AMENDMENT NO. 2

On page 2, in line 10, strike “**OR PERSONAL OR REAL PROPERTY**”; in lines 11 and 30, in each instance, strike “**PROPERTY**” and substitute “MONEY”; strike in their entirety lines 13 and 14; in line 23, strike “**OR PROPERTY**”; and strike beginning with the colon in line 27 down through “**(II)**” in line 30.

On page 3, in line 1, after “**SERVED**” insert “ON THE DEFENDANT”; in line 6, strike “**OR PROPERTY**”; strike beginning with “**IF**” in line 8 down through “**(V)**” in line 10; in line 11, strike “**PROPERTY**” and substitute “MONEY”; in line 13, strike “**(VI)**” and substitute “**(V)**”; strike beginning with the colon in line 16 down through “**(II)**” in line 19; in line 19, strike “**PROPERTY**” and substitute “MONEY”; and in lines 25, 26, and 30, in each instance, strike “**OR PROPERTY**”.

On page 4, in line 1, strike “**OR PROPERTY**”; strike beginning with the colon in line 19 down through “**(2)**” in line 24; and in line 25, strike “**SET-OFF**” and substitute “SET OFF”.

(Over)

AMENDMENT NO. 3

On page 4, after line 3, insert:

“(E) (1) THE ORDER TO FREEZE ASSETS SHALL BE SERVED ON EACH FINANCIAL INSTITUTION IN POSSESSION OF MONEY SUBJECT TO THE ORDER.

(2) THE ORDER SHALL BE SERVED IN ACCORDANCE WITH THE MARYLAND RULES AND INCLUDE:

(I) THE NAME OF THE ACCOUNT HOLDER;

(II) THE CASE NUMBER OF THE PROCEEDING IN WHICH THE COURT ISSUED THE ORDER TO FREEZE ASSETS; AND

(III) A DESCRIPTION OF THE MONEY THAT IS SUBJECT TO THE ORDER TO FREEZE ASSETS.

(F) A FINANCIAL INSTITUTION IS NOT OBLIGATED TO RESTRICT ACCESS TO MONEY DESCRIBED IN A PETITION UNTIL:

(1) AN ORDER TO FREEZE ASSETS HAS BEEN SERVED ON THE FINANCIAL INSTITUTION; AND

(2) THE FINANCIAL INSTITUTION HAS HAD A REASONABLE OPPORTUNITY TO FREEZE THE ASSETS.”;

and in lines 4, 16, and 19, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “(G)”, “(H)”, and “(I)”, respectively.