

SENATE BILL 279

N1

(2lr1685)

ENROLLED BILL

— Judicial Proceedings/Judiciary —

Introduced by ~~Senator Hettleman~~ Senators Hettleman, Lee, and Sydnor

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Access to Counsel in Evictions Special Fund – Alteration**

3 FOR the purpose of altering the contents of the Access to Counsel in Evictions Special Fund
4 to include money received by the Division of Consumer Protection in the Office of the
5 Attorney General from a final settlement, an agreement, or a judgment relating to a
6 certain investigation or enforcement of the Maryland Consumer Protection Act,
7 excluding ~~money received by the aggrieved party~~ restitution and certain costs the
8 Attorney General is entitled to recover; and generally relating to the Access to
9 Counsel in Evictions Special Fund.

10 BY repealing and reenacting, without amendments,
11 Article – Real Property
12 Section 8–903 and 8–909(a) and (b)
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2021 Supplement)

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.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Real Property
 3 Section 8–909(e)
 4 Annotated Code of Maryland
 5 (2015 Replacement Volume and 2021 Supplement)

6 Preamble

7 WHEREAS, The Cigarette Restitution Fund receives all revenues received by the
 8 State from any source resulting, directly or indirectly, from any judgment against or
 9 settlement with tobacco product manufacturers, tobacco research associations, or any other
 10 person in the tobacco industry relating to litigation, administrative proceedings, or any
 11 other claims made or prosecuted by the State to recover damages for violations of State law;
 12 and

13 WHEREAS, The Opioid Restitution Fund receives all revenues received by the State
 14 from any source resulting, directly or indirectly, from any judgment against or settlement
 15 with opioid manufacturers, opioid research associations, or any other person in the opioid
 16 industry, relating to any claims made or prosecuted by the State to recover damages for
 17 violations of State law; ~~and~~

18 ~~WHEREAS, An administrative law judge has found that violations of the consumer~~
 19 ~~protection law by Westminster Management and the company JK2 were “widespread and~~
 20 ~~numerous”, with a final order by the Consumer Protection Division pending; now, therefore,~~

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

23 **Article – Real Property**

24 8–903.

25 (a) There is an Access to Counsel in Evictions Program administered by MLSC.

26 (b) The purpose of the Program is to organize and direct services and resources
 27 in order to provide all covered individuals in the State with access to legal representation
 28 as required under this subtitle.

29 8–909.

30 (a) There is an Access to Counsel in Evictions Special Fund.

31 (b) The purpose of the Fund is to provide funding to fully implement access to
 32 legal representation in evictions and other related proceedings in the State.

33 (e) The Fund consists of:

1 (1) **MONEY RECEIVED BY THE DIVISION OF CONSUMER PROTECTION**
2 **IN THE OFFICE OF THE ATTORNEY GENERAL FROM ANY FINAL SETTLEMENT OR**
3 **AGREEMENT WITH OR JUDGMENT AGAINST A PARTY RELATING TO AN**
4 **INVESTIGATION OR ENFORCEMENT OF THE MARYLAND CONSUMER PROTECTION**
5 **ACT FOR AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE FOR RENTAL**
6 **RESIDENTIAL PROPERTY, EXCLUDING ANY ~~MONEY RECEIVED BY THE AGGRIEVED~~**
7 **~~PARTY~~ RESTITUTION AND THE COSTS OF THE ACTION THE ATTORNEY GENERAL IS**
8 **ENTITLED TO RECOVER;**

9 (2) Money appropriated in the State budget to the Fund;

10 [(2)] (3) Interest earnings of the Fund; and

11 [(3)] (4) Any other money from any other source accepted for the benefit
12 of the Fund.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2022.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.