

SENATE BILL 889

D1, P3

0lr2278
CF HB 1009

By: **Senators West, Smith, Carozza, Elfreth, Hayes, Klausmeier, and Ready**

Introduced and read first time: February 3, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Adjudicatory Hearings – Attorney Security Passes for Attorneys in Good**
3 **Standing**

4 FOR the purpose of requiring the Administrative Office of the Courts to adopt certain
5 procedures in consultation with the Maryland State Bar Association relating to
6 certain attorney security passes; authorizing the Maryland State Bar Association to
7 manage and administer the issuance of an attorney security pass; providing that
8 certain provisions of this Act supersede certain inconsistent provisions; providing for
9 the construction of certain provisions of this Act; requiring the Secretary of General
10 Services, in consultation with the Maryland State Bar Association, to adopt
11 regulations providing for the acceptance of an attorney security pass at a certain
12 State facility; defining a certain term; and generally relating to attorney security
13 passes.

14 BY adding to
15 Article – Courts and Judicial Proceedings
16 Section 13–101.2
17 Annotated Code of Maryland
18 (2013 Replacement Volume and 2019 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Finance and Procurement
21 Section 4–607
22 Annotated Code of Maryland
23 (2015 Replacement Volume and 2019 Supplement)

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

26 **Article – Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **13-101.2.**

2 (A) IN THIS SECTION, "ATTORNEY SECURITY PASS" MEANS A PHOTO
3 IDENTIFICATION CARD ISSUED BY THE MARYLAND STATE BAR ASSOCIATION WITH
4 THE AID OF A SHERIFF'S OFFICE OR OTHER LAW ENFORCEMENT AGENCY THAT
5 AUTHORIZES AN ATTORNEY IN GOOD STANDING TO ENTER A STATE COURT FACILITY
6 WITHOUT SCREENING BY SECURITY FOR THE FACILITY.

7 (B) THE ADMINISTRATIVE OFFICE OF THE COURTS, IN CONSULTATION
8 WITH THE MARYLAND STATE BAR ASSOCIATION, SHALL ADOPT PROCEDURES:

9 (1) ESTABLISHING CRITERIA FOR THE ISSUANCE, RENEWAL, DENIAL,
10 AND REVOCATION OF ATTORNEY SECURITY PASSES; AND

11 (2) FOR THE STATEWIDE ACCEPTANCE OF ATTORNEY SECURITY
12 PASSES AT STATE COURT FACILITIES.

13 (C) THE MARYLAND STATE BAR ASSOCIATION MAY MANAGE AND
14 ADMINISTER A PROGRAM FOR THE ISSUANCE OF ATTORNEY SECURITY PASSES,
15 INCLUDING BY:

16 (1) COMMUNICATING TO ATTORNEYS CRITERIA AND PROCEDURES
17 FOR OBTAINING AN ATTORNEY SECURITY PASS; AND

18 (2) COLLECTING FEES DIRECTLY RELATED TO THE MANAGEMENT
19 AND ADMINISTRATION OF THE PROGRAM.

20 (D) THE PROVISIONS OF THIS SECTION SUPERSEDE ANY INCONSISTENT
21 PROVISIONS ESTABLISHED IN LAW OR POLICY BY A LOCAL JURISDICTION OR UNIT
22 OF STATE GOVERNMENT.

23 (E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO PROHIBIT THE
24 PERIODIC SECURITY SCREENING OF AN INDIVIDUAL HOLDING AN ATTORNEY
25 SECURITY PASS.

26 **Article – State Finance and Procurement**

27 **4-607.**

28 (a) The Secretary may adopt regulations for the operation, maintenance, and
29 security of the improvements, grounds, and multiservice centers under the jurisdiction of
30 the Department.

31 (B) THE SECRETARY, IN CONSULTATION WITH THE MARYLAND STATE BAR

1 ASSOCIATION, SHALL ADOPT REGULATIONS PROVIDING FOR THE ACCEPTANCE OF
2 AN ATTORNEY SECURITY PASS ISSUED UNDER § 13–101.2 OF THE COURTS ARTICLE
3 AT EACH STATE FACILITY UNDER THE JURISDICTION OF THE DEPARTMENT THAT
4 HOUSES A UNIT OF STATE GOVERNMENT RESPONSIBLE FOR CONDUCTING
5 ADMINISTRATIVE HEARINGS.

6 [(b)] (C) Any regulation adopted under this section shall be conspicuously
7 posted.

8 [(c)] (D) A person who violates a regulation adopted under this section is guilty
9 of a misdemeanor and on conviction is subject to a fine not exceeding \$20 plus costs. A
10 person who fails to pay any fine or costs imposed under this section may be imprisoned in
11 jail for a period not exceeding 30 days.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2020.