

CHAPTER 587

(House Bill 6)

AN ACT concerning

District Court Commissioners - Powers and Duties

FOR the purpose of proposing an amendment to the Maryland Constitution to expand the powers and duties of District Court commissioners to include the issuance of certain civil interim ~~civil orders for protection~~ peace orders and civil interim protective orders within the jurisdiction of the District Court under certain circumstances; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Constitution of Maryland

Article IV - Judiciary Department

Section 41G

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Constitution of Maryland read as follows:

Article IV - Judiciary Department

41G.

(A) (1) There shall be district court commissioners in the number and with the qualifications and compensation prescribed by law.

(2) Commissioners in a district shall be appointed by and serve at the pleasure of the Administrative Judge of the district, subject to the approval of the Chief Judge of the District Court.

(B) Commissioners may exercise power only with respect to AND ONLY AS PRESCRIBED BY LAW OR RULE AS TO:

(1) [~~warrants~~] **WARRANTS** of arrest, or bail or collateral or other terms of pre-trial release pending hearing, or incarceration pending hearing[, and then only as prescribed by law or by rule]; AND

(2) ISSUANCE OF CIVIL INTERIM ~~CIVIL ORDERS FOR PROTECTION~~ PEACE ORDERS AND CIVIL INTERIM PROTECTIVE ORDERS WITHIN THE JURISDICTION OF THE DISTRICT COURT ~~ON DAYS AND DURING HOURS IN WHICH~~ WHEN THE OFFICE OF THE CLERK OF THE DISTRICT COURT IS NOT OPEN.

SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Constitution of Maryland proposed by this Act affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the Constitution concerning local approval of constitutional amendments do not apply.