

CHAPTER 355

(House Bill 1608)

AN ACT to add new Section 71(c-1) to Article 41 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Governor - Executive and Administrative Departments," subtitle "The Department of Budget and Fiscal Planning"; to repeal and re-enact, with amendments, Section 7(f) of Article 27A of the Code (1972 Supplement), title "Public Defender"; and to repeal and re-enact, with amendments, Section 601 of Article 43 of the Code (1971 Replacement Volume and 1972 Supplement), title "Health," subtitle "Chronic Hospitals and Infirmaries," providing for the creation of a central collection unit within the Department of Budget and Fiscal Planning, making such unit responsible for the collection of all delinquent debts and accounts due to the State or due agencies or officials, providing for the organization and operation of said unit, providing for the transfer of certain personnel to said unit, providing legal assistance to said unit, providing certain duties with respect to other State agencies and officials concerning delinquent debts and accounts, providing specifically for the collection of delinquent accounts due to the Public Defender by the central collection unit, transferring certain duties to the collection unit from the Department of Health and Mental Hygiene, renaming the collection unit within said Department of Health and Mental Hygiene, and relating generally to the collection of delinquent debts and accounts.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 71(c-1) be and it is hereby added to Article 41 of the Annotated Code of Maryland (1971 Replacement Volume and 1972 Supplement), title "Governor - Executive and Administrative Departments," subtitle "The Department of Budget and Fiscal Planning," to follow immediately after Section 71(c) thereof, and to read as follows:

71.

(C-1)

(1) THE SECRETARY SHALL ESTABLISH WITHIN THE DEPARTMENT A CENTRAL COLLECTION UNIT, WHICH SHALL BE RESPONSIBLE FOR THE COLLECTION OF ALL DELINQUENT ACCOUNTS AND DEBTS OWED TO THE STATE OR TO ANY AGENCY OR OFFICIAL THEREOF, IN HIS OFFICIAL CAPACITY. THE SECRETARY MAY ADOPT RULES AND REGULATIONS CONCERNING THE OPERATION OF THE UNIT AND THE COLLECTION OF DELINQUENT ACCOUNTS AND DEBTS. THE COLLECTION UNIT MAY COMPROMISE, ADJUST AND SETTLE SUCH ACCOUNTS OR DEBTS WITHOUT SUIT, IF, IN ITS JUDGMENT IT IS FEASIBLE AND DESIRABLE TO DO SO.

(2) ALL NET PROCEEDS COLLECTED BY THE CENTRAL COLLECTION UNIT SHALL BE ACCOUNTED FOR AND PAID INTO THE STATE TREASURY, EXCEPT THAT THE NET PROCEEDS COLLECTED ON ACCOUNTS OR DEBTS DUE TO AN AGENCY WHOSE FUNDS ARE NOT BY LAW PART OF THE TREASURY OF THE STATE SHALL BE DELIVERED TO THE CUSTODY OF THE TREASURER FOR THE ACCOUNT OF SUCH AGENCY.

(3) THE SECRETARY, IN CONJUNCTION WITH THE SECRETARY OF PERSONNEL, SHALL DETERMINE WHICH EMPLOYEES ARE PRIMARILY ENGAGED IN THE COLLECTION OF DELINQUENT ACCOUNTS AND DEBTS FOR THE STATE AND ITS VARIOUS