

CHAPTER 377

(House Bill 439)

AN ACT concerning

Circuit Courts - Civil Enforcement of Administrative Orders

FOR the purpose of authorizing parties to seek civil enforcement of administrative orders in the circuit courts under certain circumstances; providing for certain venue, procedures, ~~forms of relief, and defenses~~ and forms of relief in an action for civil enforcement of certain administrative orders; providing for the application of this Act; and generally relating to authorizing actions in the circuit courts for civil enforcement of administrative orders under certain circumstances.

BY adding to

Article - State Government
Section 10-222.1
Annotated Code of Maryland
(1999 Replacement Volume)

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

Article - State Government

10-222.1.

(A) A PARTY TO A CONTESTED CASE MAY TIMELY SEEK CIVIL ENFORCEMENT OF AN ADMINISTRATIVE ORDER BY FILING A PETITION FOR CIVIL ENFORCEMENT IN AN APPROPRIATE CIRCUIT COURT.

(B) UNLESS OTHERWISE REQUIRED BY STATUTE, A PARTY SHALL FILE A PETITION FOR CIVIL ENFORCEMENT OF AN ADMINISTRATIVE ORDER IN THE CIRCUIT COURT FOR THE COUNTY WHERE ANY PARTY RESIDES OR HAS A PRINCIPAL PLACE OF BUSINESS.

(C) IN AN ACTION SEEKING CIVIL ENFORCEMENT OF AN ADMINISTRATIVE ORDER A PARTY SHALL NAME, AS A DEFENDANT, EACH ALLEGED VIOLATOR AGAINST WHOM THE PARTY SEEKS TO OBTAIN CIVIL ENFORCEMENT.

~~(D) A PARTY MAY NOT FILE AN ACTION FOR CIVIL ENFORCEMENT OF AN ADMINISTRATIVE ORDER:~~

~~(1) UNTIL AT LEAST 60 DAYS AFTER THE ISSUANCE OF THE ADMINISTRATIVE ORDER; OR~~

~~(2) IF A PETITION FOR JUDICIAL REVIEW OF THE ADMINISTRATIVE ORDER HAS BEEN FILED AND IS PENDING IN A COURT.~~