

LEGISLATIVE OVERVIEW

LEGISLATION

The Judiciary’s legislative team brings together representatives of the Courts and the Administrative Office of the Courts to enhance the effectiveness of the Judicial Branch’s relationship with the General Assembly by serving as the main Judicial Branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary. The following legislation supported by the Judicial Branch was passed during FY 2022 by the 151st session of the General Assembly:

BILL NUMBER	DESCRIPTION
HB 56	Repeals Title 16 §7204 regarding the act of recovering a liquified petroleum gas container. This section was typically unused and the act of recovering a container possessed by someone other than the owner is more appropriately handled through the civil replevin process.
HB 57 w/SA 1	Requires a landlord to provide 15 days written notice to a single room tenant prior to the termination of a rental agreement for any reason other than a material violation.
HB 59 w/HA 1	Allows the court of competent jurisdiction to dismiss minor equipment violations upon a showing that repair(s) have been made.
HB 60	Adjusts the amount that a tenant may deduct from rent in order to have necessary work done on the rental premises if the landlord fails to repair or maintain the premises after proper notice. With this Act, the amount increased from \$200 to \$400 to reflect inflation of rent and the cost of repairs.
HB 244 w/HA 2	The Judicial Branch worked collaboratively with our criminal justice partners, the Legislative Branch and advocates on this Act to reform fees and fines in criminal cases. Among other things, this Act eliminates the suspension of licenses as a penalty for the nonpayment of criminal fees and fines, and eliminates various fees such as the Probation Supervision Fee and the Public Defender Fee. It also creates a study group to review other potential recommendations for criminal fees and fines reform.
HB 461	Modified Superior Court’s statute pertaining to the creation of the Court’s record. While the statute previously only contemplated stenographic recordings of court proceedings, technology permits the Court to utilize other methods, in addition to stenographers, to create the Court’s record.
SB 39	Clarifies that Probation Before Judgment (PBJ) may be entered for multiple charges arising from a single arrest. Also allows a defendant to be permitted Probation Before Judgment more than once in a five-year period so long as the offenses are in different titles of the Code.
SB 40	Allows the Court to suspend an amount of the fine for uninsured driving if the defendant provides evidence that they have now secured insurance, demonstrating compliance with the law.
SB 91	Allows Family Court the flexibility of permitting litigants to publish through a legal notice website established by the Court.
SB 234	Updates the per diem compensation for any retired judge accepting an active-duty designation from \$250 per day to 1/365 of the annual salary for such a judicial officer.
SB 268	Reflects the current managerial authority and budgetary control of the Administrative Office of the Courts over the Judicial Information Center, the Office of State Court Collections Enforcement, and the Law Libraries.
SB 318	Unifies all Judicial Branch employees under the Judicial Branch Personnel Rules.