

Department of Legislative Services  
Maryland General Assembly  
2013 Session

FISCAL AND POLICY NOTE

House Bill 148 (Delegate McConkey, *et al.*)  
Health and Government Operations

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State Government - Refund of Fees - Policy

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This bill specifies that it is the policy of the State that a unit must, to the extent practicable, refund a fee paid by a person if (1) the person paid the fee in error or (2) the unit failed to provide as required the service for which the fee was paid. "Unit" means a department, agency, board, office, commission, or other body in State government that is (1) created under State law and (2) authorized to charge a person a fee for a license, permit, or other service. "Unit" includes the sheriff of each county and the sheriff's deputies.

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Fiscal Summary

**State Effect:** Assuming that the bill codifies the existing practice of governmental units generally, the bill is not expected to materially affect State finances.

**Local Effect:** Assuming that the bill codifies the existing practice of governmental units generally, the bill is not expected to materially affect local government finances.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:** Statute is silent as to the State's policy on the refund of fees paid either in error or for services not provided. However, State and local units of government generally report that their current practice is to refund such fees.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Anne Arundel, Dorchester, and Howard counties; Board of Public Works; Office of the Attorney General (Consumer Protection Division); Department of Human Resources; Maryland Department of the Environment; Department of Health and Mental Hygiene; Maryland Insurance Administration; Department of Labor, Licensing, and Regulation; Maryland Department of Transportation; Department of Legislative Services

**Fiscal Note History:** First Reader - February 11, 2013  
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