



# Prince George's County, Maryland

## Inter-Office Memorandum

### Office of Law

#### LEGISLATIVE COMMENT

**DATE:** May 22, 2026

**TO:** David H. Murray, Council Administrator

**THRU:** Anthony D. Jones, County Attorney

**THRU:** Jason A. Alston, Deputy County Attorney

**FROM:** Terry L. Bell, Associate County Attorney

**RE:** CB-044-2026

The Office of Law has reviewed the above-referenced bill as presented on May 12, 2026, and find the bill to be in proper legislative form; however, we would suggest amending the language on page 3, lines 8-9 regarding absent “evidence provided by the defendant that the Department’s determinations are arbitrary and capricious.” This is changing the burden of proof required for the defendant to meet when these cases are presented in Court from “clear and convincing” to “arbitrary and capricious.” The burden of proof in the cases referenced in CB-44 and in any civil proceeding is to be determined by the Courts, this change would alter traditional burdens and standards of review. We would suggest leaving the language as it currently stands, with reference to the standard of proof of “clear and convincing.”