

HOUSE BILL 110

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1999 Regular Session
9lr0811

By: **Delegate Krysiak**

Introduced and read first time: January 25, 1999

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 24, 1999

CHAPTER _____

1 AN ACT concerning

2 **District Court - Court Costs - Landlord-Tenant - Summary Ejectment**

3 FOR the purpose of requiring a certain service fee for summary ejectment in
4 landlord-tenant cases for each location and ~~an~~ a certain additional fee for each
5 tenant for whom personal service is requested; and generally relating to court
6 costs in District Court.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section ~~7-301~~ 7-402(a)(1) and (b)(1)
10 Annotated Code of Maryland
11 (1998 Replacement Volume)

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

14 **Article - Courts and Judicial Proceedings**

15 7-402.

16 (a) Except as provided in subsection (b) of this section, a sheriff shall collect
17 the following fees:

18 (1) (I) \$5 for service of summary ejectment papers FOR EACH
19 LOCATION; AND

20 (II) AN ADDITIONAL \$5 FOR EACH TENANT FOR WHOM PERSONAL
21 SERVICE IS REQUESTED.

1 (b) In Cecil County the Sheriff shall collect the following fees:

2 (1) (I) \$5 for service of summary ejectment papers FOR EACH
 3 LOCATION; AND

4 (II) AN ADDITIONAL \$5 FOR EACH TENANT FOR WHOM PERSONAL
 5 SERVICE IS REQUESTED.

6 ~~7-301.~~

7 (a) ~~The court costs in a traffic case, including parking and impounding cases~~
 8 ~~and cases under § 21-202.1 of the Transportation Article in which costs are imposed,~~
 9 ~~are \$20. Such costs shall also be applicable to those cases in which the defendant~~
 10 ~~elects to waive his right to trial and pay the fine or penalty deposit established by the~~
 11 ~~Chief Judge of the District Court by administrative regulation. In an uncontested~~
 12 ~~case under § 21-202.1 of the Transportation Article or uncontested parking or~~
 13 ~~impounding case in which the fines are paid directly to a political subdivision or~~
 14 ~~municipality, costs are \$2.00, which costs shall be paid to and retained by the political~~
 15 ~~subdivision or municipality. In an uncontested case in which the fine is paid directly~~
 16 ~~to an agency of State government authorized by law to regulate parking of motor~~
 17 ~~vehicles, the costs are \$2.00. The fine and the costs shall be paid to the agency, which~~
 18 ~~shall receive and account for these funds as in all other cases involving sums due the~~
 19 ~~State through a State agency.~~

20 (b) (1) ~~The court costs in a criminal case in which costs are imposed are \$20.~~

21 (2) ~~The costs shall be in addition to any costs imposed in a criminal case~~
 22 ~~under the Criminal Injuries Compensation Act.~~

23 (c) (1) ~~The filing fees and costs in a civil case are those prescribed by law~~
 24 ~~subject to modification by law, rule, or administrative regulation.~~

25 (2) ~~IN SUMMARY EJECTMENT ACTIONS, THE DISTRICT COURT SHALL~~
 26 ~~PROVIDE FOR A UNIFORM STATEWIDE SERVICE FEE FOR EACH LOCATION TO WHICH~~
 27 ~~A SUMMONS IS AFFIXED OR POSTED, WITH AN ADDITIONAL SERVICE FEE FOR EACH~~
 28 ~~TENANT FOR WHOM PERSONAL SERVICE IS REQUESTED BY THE PLAINTIFF.~~

29 (3) ~~The Chief Judge of the District Court shall assess a surcharge that:~~

30 (i) ~~May not be more than \$2 per civil case; and~~

31 (ii) ~~Shall be deposited into the Maryland Legal Services~~
 32 ~~Corporation Fund established under § 7-408 of this title.~~

33 [(3)] (4) ~~The Court of Appeals may provide by rule for waiver of~~
 34 ~~prepayment of filing fees and other costs in cases of indigency.~~

35 (d) ~~When a person pays court costs or a fine with a check in any motor vehicle,~~
 36 ~~criminal, or civil case in the District Court, and the check is returned to the court by~~
 37 ~~the financial institution on which it is drawn because of insufficient funds in the~~

1 account, or because the account has been closed or never existed, then the court may
2 impose additional costs of \$10 against the party issuing the check. These costs shall
3 be in addition to any other penalty now prescribed by law.

4 (e) The Comptroller shall establish a Law Enforcement and Correctional
5 Training Fund, as provided in Article 41, § 4-1301 of the Code, and the Comptroller
6 shall pay into the Fund one-fourth of all court costs collected by the District Court
7 under subsections (a) and (b)(1) of this section.

8 (f) The Comptroller shall annually pay from the court costs collected by the
9 District Court under subsections (a) and (b)(1) of this section:

10 (1) \$500,000 into the Criminal Injuries Compensation Fund established
11 under Article 27, § 831 of the Code; and

12 (2) \$125,000 into the Victim and Witness Protection and Relocation Fund
13 established under Article 27, § 836 of the Code.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 1999.