

# HOUSE BILL 1409

Q8, L2

8lr1902

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By: **Delegates M. Washington, Ali, Anderson, Clippinger, Conaway, Gibson, Glenn, Hayes, Haynes, R. Lewis, Lierman, McCray, McIntosh, Mosby, and Rosenberg**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – Tax Sales of Real Property – Water Liens**  
3 **(Water Taxpayer Protection Act)**

4 FOR the purpose of repealing the authority of the Mayor and City Council of Baltimore  
5 City to sell real property solely to enforce a lien for unpaid charges for water and  
6 sewer services; providing that this Act does not affect other rights or remedies of  
7 Baltimore City to collect unpaid charges for water and sewer services, subject to a  
8 certain exception; prohibiting Baltimore City from acquiring real property by means  
9 of execution of a judgment under certain circumstances; providing for the application  
10 of this Act; and generally relating to tax sales of real property in Baltimore City.

11 BY repealing and reenacting, with amendments,  
12 Article – Tax – Property  
13 Section 14–849.1  
14 Annotated Code of Maryland  
15 (2012 Replacement Volume and 2017 Supplement)

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

18 **Article – Tax – Property**

19 14–849.1.

20 (a) In Baltimore City, the Mayor and City Council may not sell a property solely  
21 to enforce a lien for unpaid charges for water and sewer service [unless:

22 (1) (i) for a property other than owner–occupied residential property,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the lien is for at least \$350; or

2 (ii) for an owner-occupied residential property, the lien is for at least  
3 \$750; and

4 (2) the unpaid charges for water and sewer service are at least 3 quarters  
5 in arrears.

6 (b) (1) Notwithstanding subsection (a)(1)(i) of this section, the Mayor and City  
7 Council may enforce a lien on a property other than owner-occupied residential property  
8 for unpaid water and sewer service that is less than \$350 if the property is being sold to  
9 enforce another lien.

10 (2) Notwithstanding subsection (a)(1)(ii) of this section, the Mayor and City  
11 Council may enforce a lien on owner-occupied residential property for unpaid water and  
12 sewer service that is less than \$750 if the property is being sold to enforce another lien.]

13 **(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
14 **THIS SECTION DOES NOT AFFECT ANY OTHER RIGHT OR REMEDY OF BALTIMORE**  
15 **CITY FOR THE COLLECTION OF A WATER AND SEWER SERVICE CHARGE.**

16 **(2) BALTIMORE CITY MAY NOT ACQUIRE REAL PROPERTY BY MEANS**  
17 **OF EXECUTION OF A JUDGMENT FOR FAILURE BY THE OWNER, ON WHOM THE WATER**  
18 **AND SEWER SERVICE CHARGE WAS ORIGINALLY MADE, TO PAY THE WATER AND**  
19 **SEWER SERVICE CHARGE.**

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
21 apply only prospectively and may not be applied or interpreted to have any effect on or  
22 application to any liens attached to real property before the effective date of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
24 1, 2018.