

# SENATE BILL 1102

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8lr3540  
CF HB 1329

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By: **Senators Cassilly and Norman**

Introduced and read first time: February 14, 2018

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Landlord and Tenant – Action for Repossession of Nonresidential Property –**  
3 **Service of Process**

4 FOR the purpose of altering certain requirements for service of process on a tenant in a  
5 certain action for repossession if the action involves nonresidential property; and  
6 generally relating to service of process in an action for repossession.

7 BY repealing and reenacting, with amendments,  
8 Article – Real Property  
9 Section 8–401(b)(5)  
10 Annotated Code of Maryland  
11 (2015 Replacement Volume and 2017 Supplement)

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

14 **Article – Real Property**

15 8–401.

16 (b) (5) Notwithstanding the provisions of paragraphs (1) through (4) of this  
17 subsection[, in]:

18 (I) IN AN ACTION TO REPOSSESS NONRESIDENTIAL PROPERTY  
19 UNDER THIS SECTION, SERVICE OF PROCESS ON A TENANT:

20 1. SHALL BE DIRECTED TO THE SHERIFF OF THE  
21 APPROPRIATE COUNTY OR MUNICIPALITY; AND

22 2. ON PLAINTIFF’S REQUEST, MAY BE DIRECTED TO ANY

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **PERSON AUTHORIZED UNDER THE MARYLAND RULES TO SERVE PROCESS; AND**

2                               **(II)** IN Wicomico County, in an action to repossess any premises  
3 under this section, service of process on a tenant may be directed to any person authorized  
4 under the Maryland Rules to serve process.

5               SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2018.