

Chapter 646

(House Bill 1329)

AN ACT concerning

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

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

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

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

Article – Real Property

8–401.

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

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

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

2. ON PLAINTIFF’S REQUEST, MAY BE DIRECTED TO ANY PERSON AUTHORIZED UNDER THE MARYLAND RULES TO SERVE PROCESS; AND

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

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

Approved by the Governor, May 15, 2018.