

HOUSE BILL 176

D1

2lr1016

(PRE-FILED)

By: **Delegate Cardin**

Requested: October 28, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Service of Process – Fees Collected by Sheriff**

3 FOR the purpose of increasing certain fees for service of process of certain papers by a
4 sheriff; and generally relating to sheriff service of process fees.

5 BY repealing and reenacting, with amendments,
6 Article – Courts and Judicial Proceedings
7 Section 7–402(a)
8 Annotated Code of Maryland
9 (2020 Replacement Volume and 2021 Supplement)

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

12 **Article – Courts and Judicial Proceedings**

13 7–402.

14 (a) Except as provided in subsections (b), (e), and (f) of this section, a sheriff shall
15 collect the following fees:

16 (1) \$5 for service of summary ejectment papers.

17 (2) ~~[\$40]~~ **\$60** for service of a paper not including an execution or
18 attachment.

19 (3) ~~[\$40]~~ **\$60** for service including an execution or attachment by taking
20 into custody a person or seizing real or personal property.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) [~~\$40~~] **\$60** for service of process papers arising out of administrative
2 agency proceedings where the party requesting the service is a nongovernmental entity.

3 (5) For the sale following the execution or attachment of personal property:
4 Three percent of the first \$5,000; two percent of the second \$5,000; and one percent of any
5 amount in excess of \$10,000. The sheriff shall collect a minimum of \$15 and a maximum of
6 \$500 under the provisions of this paragraph.

7 (6) For the sale following the execution or attachment of real property: One
8 and one-half percent of the first \$5,000; one percent of the second \$5,000; and one-half of
9 one percent of any amount in excess of \$10,000. The sheriff shall collect a minimum of \$1.50
10 and a maximum of \$250 under the provisions of this paragraph.

11 (7) \$60 for service of a paper originating from a foreign court.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2022.