



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger., Chair and
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 25, 2025

RE: **SB 46 Real Property - Wrongful Detainer Actions**

POSITION: **SUPPORT with amendments**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT SB 46 with amendments**. This bill provides necessary legal clarity and enforcement mechanisms to address wrongful detainer situations.

MCPA-MSA supports the intention of this bill, which seeks to ensure that property owners can reclaim possession of unlawfully occupied property in a timely and efficient manner, which is essential for maintaining the integrity of property rights. The bill's provisions streamline the process for obtaining relief in wrongful detainer cases and provide clear procedures for service, hearings, and enforcement, all of which are critical to protecting the rights of lawful property owners while ensuring due process for occupants.

However, MCPA-MSA respectfully requests an amendment to the immediacy requirement found on page 6, lines 1-3, which state that "If the judgment of the circuit court shall be in favor of the person claiming possession, a warrant shall be issued by the court to the sheriff, who shall proceed immediately to execute the warrant." In practice, sheriffs are often backlogged with writs of restitution that require careful scheduling, making the required "immediate" action impractical. To accommodate this reality while still ensuring timely enforcement, we suggest replacing "immediately" with "as soon as practicable." This revision would allow for efficient enforcement of court orders while recognizing the operational constraints sheriffs face in executing evictions within the mandated 60-day period.

For these reasons, MCPA and MSA **SUPPORT with amendments SB 46** and request a **FAVORABLE** Committee report.