
By: Delegates Genn and Hubbard

Introduced and read first time: February 3, 1997

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Sheriffs' Fees**

3 FOR the purpose of increasing the fees that sheriffs may collect for certain services;
4 authorizing the reimbursement of expenses incurred for storing or seizing property;
5 authorizing the reimbursement of expenses for certain services of sheriffs by the
6 judgment debtor or from the proceeds of the sheriff's sale; making a technical
7 change; and generally relating to fees that sheriffs may collect.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 7-402
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1996 Supplement)

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

15 **Article - Courts and Judicial Proceedings**

16 7-402.

17 (a) Except as provided in subsection (b) of this section, a sheriff shall collect the
18 following fees:

19 (1) [~~\$5~~] \$10 for service of summary ejectment papers.

20 (2) [~~\$30~~] \$35 for service of a paper not including an execution or
21 attachment.

22 (3) [~~\$30~~] \$35 for service including an execution or attachment by taking into
23 custody a person or seizing real or personal property.

24 (4) [~~\$30~~] \$35 for service of process papers arising out of administrative
25 agency proceedings where the party requesting the service is a nongovernmental entity.

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

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1 (6) For the sale following the execution or attachment of real property: One
2 and one-half percent of the first \$5,000; one percent of the second \$5,000; and one-half
3 of one percent of any amount in excess of \$10,000. The sheriff shall collect a minimum of
4 \$1.50 and a maximum of \$250 under the provisions of this paragraph.

5 [(b) In Cecil County the Sheriff shall collect the following fees:

6 (1) \$5 for service of summary ejectment papers.

7 (2) \$35 for service of a paper not including an execution or attachment.

8 (3) \$35 for service including an execution or attachment by taking into
9 custody a person or seizing real or personal property.

10 (4) \$35 for service of process papers arising out of administrative agency
11 proceedings where the party requesting the service is a nongovernmental entity.

12 (5) For the sale following the execution or attachment of personal property:
13 3 percent of the first \$5,000; 2 percent of the second \$5,000; and 1 percent of any amount
14 in excess of \$10,000. The Sheriff shall collect a minimum of \$15 and a maximum of \$500
15 under the provisions of this paragraph.

16 (6) For the sale following the execution or attachment of real property: 1.5
17 percent of the first \$5,000; 1 percent of the second \$5,000; and one-half of 1 percent of
18 any amount in excess of \$10,000. The Sheriff shall collect a minimum of \$1.50 and a
19 maximum of \$250 under the provisions of this paragraph.]

20 [(c)] (B) (1) If the sheriff incurs expenses for the purpose of STORING,
21 conserving, [or] protecting, OR [the seized] SEIZING property, the sheriff shall be
22 reimbursed for the expense.

23 (2) [If the Sheriff of Washington County incurs expenses for seizing
24 property, the Sheriff shall be reimbursed by the judgment debtor for reasonable
25 expenses.] THE EXPENSES IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PAID
26 BY THE JUDGMENT DEBTOR OR FROM THE PROCEEDS OF THE SHERIFF'S SALE.

27 [(d)] (C) If the sheriff is unable to serve a paper, the full fee shall be refunded to
28 the party requesting the service.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1997.