
By: Delegates Genn and Hubbard

Introduced and read first time: February 3, 1997

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 1997

CHAPTER _____

1 AN ACT concerning

2 **Sheriffs' Fees**

3 FOR the purpose of increasing the fees that sheriffs ~~may~~ shall 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~~ technical changes; and generally relating to fees that sheriffs ~~may~~ shall
8 collect.

9 BY repealing and reenacting, with amendments,
10 Article - Courts and Judicial Proceedings
11 Section 7-402
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1996 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 7-402.

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

20 (1) ~~[\$51]~~ \$10 for service of summary ejectment papers.

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

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1 (3) [30] \$35 for service including an execution or attachment by taking into
2 custody a person or seizing real or personal property.

3 (4) [30] \$35 for service of process papers arising out of administrative
4 agency proceedings where the party requesting the service is a nongovernmental entity.

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

9 (6) For the sale following the execution or attachment of real property: One
10 and one-half percent of the first \$5,000; one percent of the second \$5,000; and one-half
11 of one percent of any amount in excess of \$10,000. The sheriff shall collect a minimum of
12 \$1.50 and a maximum of \$250 under the provisions of this paragraph.

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

14 (1) \$5 for service of summary ejectment papers.

15 (2) \$35 for service of a paper not including an execution or attachment.

16 (3) \$35 for service including an execution or attachment by taking into
17 custody a person or seizing real or personal property.

18 (4) \$35 for service of process papers arising out of administrative agency
19 proceedings where the party requesting the service is a nongovernmental entity.

20 (5) For the sale following the execution or attachment of personal property:
21 3 percent of the first \$5,000; 2 percent of the second \$5,000; and 1 percent of any amount
22 in excess of \$10,000. The Sheriff shall collect a minimum of \$15 and a maximum of \$500
23 under the provisions of this paragraph.

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

28 [(c)] (B) (1) If the sheriff incurs expenses for the purpose of ~~STORING,~~
29 ~~conserving, for} protecting, OR {the seized} SEIZING~~ property, the sheriff shall be
30 reimbursed for the expense.

31 (2) ~~{If the Sheriff of Washington County incurs expenses for seizing~~
32 ~~property, the Sheriff shall be reimbursed by the judgment debtor for reasonable~~
33 ~~expenses.} THE EXPENSES IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PAID~~
34 ~~BY THE JUDGMENT DEBTOR OR FROM THE PROCEEDS OF THE SHERIFF'S SALE.~~

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

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

