

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

Senate Bill 371 (Senator Stoltzfus)

Judicial Proceedings

Real Property - Repossess Premises - Service of Process in Worcester County

This bill provides that in a summary ejectment action in Worcester County, service of process on a tenant may be effected by any person authorized under the Maryland Rules to serve process, if the person is not an agent, employee, or representative of the landlord. The Maryland Rules generally provide that service of process may be made by any legally competent person who is 18 or older and is not a party to the action. Under current law service of process in a summary ejectment action must be made by a constable or sheriff (except in Wicomico County).

Fiscal Summary

State Effect: None.

Local Effect: Potential minimal revenue decrease for Worcester County.

Small Business Effect: Potential minimal.

Fiscal Analysis

Local Effect: Service of process fees in summary ejectment actions accounted for \$7,030 in revenues for Worcester County in calendar 1998. The fees, which are \$5 per tenant, are collected by the Sheriff's office and placed into the county general fund. Worcester County revenues would decrease to the extent that service of process in summary ejectment actions is not directed to the Sheriff as a result of this bill. The amount of any such revenue decrease cannot be precisely estimated at this time, but is not expected to be significant.

The Worcester County Sheriff's Office advises that the bill is not expected to result in layoffs.

Small Business Effect: Small process service businesses would gain business to the extent that they are called upon to serve process in summary ejectment proceedings in Worcester County as a result of the bill. Landlords could benefit to the extent that they could arrange for cheaper and/or more expeditious service of process than is provided by the Sheriff.

Information Source(s): Judiciary (District Court of Maryland), Worcester County Sheriff's Office, Department of Legislative Services

Fiscal Note History: First Reader - February 16, 1999
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