
By: **Howard County Delegation**

Introduced and read first time: February 6, 2002

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Clerk of the Circuit Court - Fees**
3 **Ho. Co. 3-02**

4 FOR the purpose of altering the percentage of certain public money that the Clerk of
5 the Circuit Court of Howard County is entitled to retain under certain
6 circumstances.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 2-213
10 Annotated Code of Maryland
11 (1998 Replacement Volume and 2001 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 2-213.

16 (a) Except as otherwise provided in this section, the clerk of a circuit court is
17 entitled to 5% of all public money that the clerk receives, collects, and pays over.

18 (b) The Clerk of the Circuit Court for Anne Arundel County is entitled to
19 receive:

20 (1) 3% of the amount collected for the tax applicable to instruments
21 recorded with the Clerk under Title 12 of the Tax - Property Article; and

22 (2) 5% of all other public money that the Clerk receives, collects, and
23 pays over.

24 (c) The Clerk of the Circuit Court for Baltimore City is entitled to receive:

1 (1) 2.5% of the amount collected from the tax applicable to instruments
2 recorded with the Clerk under Title 12 of the Tax - Property Article; and

3 (2) 5% of all other public money that the Clerk receives, collects, and
4 pays over.

5 (d) The Clerk of the Circuit Court for Baltimore County is entitled to receive:

6 (1) 3% of the amount collected from the tax applicable to instruments
7 recorded with the Clerk under Title 12 of the Tax - Property Article; and

8 (2) 5% of all other public money that the Clerk receives, collects, and
9 pays over.

10 (e) (1) Notwithstanding subsection (a) of this section, the Clerk of the
11 Circuit Court for Charles County shall:

12 (i) Deduct from collection fees for the tax collected under Title 12 of
13 the Tax - Property Article the cost of two-thirds of the salaries and benefits of the
14 court reporters for the Circuit Court of Charles County; and

15 (ii) Pay the amount deducted to the Charles County Treasurer.

16 (2) The Clerk shall make the payment promptly after receipt of a
17 voucher from the Charles County Treasurer stating the amount of the salaries and
18 benefits paid to the court reporters.

19 (f) The Clerk of the Circuit Court for Harford County is entitled to:

20 (1) 3% of the amount collected from the tax applicable to instruments
21 recorded with the Clerk under Title 12 of the Tax - Property Article; and

22 (2) 5% of all other public money that the Clerk receives, collects, and
23 pays over.

24 (G) THE CLERK OF THE CIRCUIT COURT FOR HOWARD COUNTY IS ENTITLED
25 TO 1% OF ALL PUBLIC MONEY THAT THE CLERK RECEIVES, COLLECTS, AND PAYS
26 OVER.

27 [(g)] (H) The Clerk of the Circuit Court for Montgomery County is entitled to
28 3% of all public money that the Clerk receives, collects, and pays over.

29 [(h)] (I) Notwithstanding subsection (a) of this section, the Clerk of the
30 Circuit Court for St. Mary's County is not entitled to a collection fee for collecting the
31 county transfer tax under Chapter 138 of the Public Local Laws of St. Mary's County
32 when the Clerk collects both the recordation tax under Title 12 of the Tax - Property
33 Article and the county transfer tax for the filing of a single instrument.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 July 1, 2002.