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By: **Delegate Elmore**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County - Tax Sales - Auctioneers - Fees**

3 FOR the purpose of altering the fees auctioneers are allowed at tax sales in Somerset  
4 County; and generally relating to tax sales in Somerset County.

5 BY repealing and reenacting, with amendments,

6 Article - Tax - Property

7 Section 14-813(e)

8 Annotated Code of Maryland

9 (2001 Replacement Volume and 2004 Supplement)

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

12 **Article - Tax - Property**

13 14-813.

14 (e) (1) The following expenses relating to the sale shall be allowed, all of  
15 which are liens on the property to be sold:

16 (i) the expense of publication of all notices;

17 (ii) the cost of the county or municipal corporation surveyor's  
18 description and plat, if necessary;

19 (iii) except as provided in items (vi) and (vii) of this paragraph, a fee  
20 to the attorney representing the county treasurer for services, that does not exceed  
21 \$15 for each property; except that in any county that has a paid full-time solicitor,  
22 counsel or attorney, the fee shall be collected and paid into the general funds of the  
23 county;

24 (iv) the auctioneer's fee, as provided in paragraph (2) of this  
25 subsection;

1 (v) in Baltimore County, where provision has been made for the  
2 posting of the premises to be sold, a sum that does not exceed \$7.50;

3 (vi) in Somerset County, Wicomico County and Worcester County a  
4 fee to the attorney representing the county treasurer or director of finance, that does  
5 not exceed \$35 for each property, to be approved by the county treasurer or director of  
6 finance and by the governing body;

7 (vii) in Baltimore City:

8 1. a fee of \$30 for each property to the attorney representing  
9 the director of finance, that is collected and paid into the General Fund of Baltimore  
10 City; and

11 2. a fee that does not exceed \$10 for the mailing of  
12 statements and notices;

13 (viii) in Montgomery County, instead of the fee allowed under item  
14 (iii) of this paragraph, a fee that does not exceed \$30 for each property for legal  
15 services relating to the sale, to be collected and paid into the general funds of the  
16 county; and

17 (ix) a reasonable fee that does not exceed \$150 for examinations of  
18 title before the mailing of statements and notices.

19 (2) The auctioneer's fee allowed in paragraph (1) of this subsection shall  
20 be:

21 (i) except in Baltimore City, Caroline County, Carroll County,  
22 Dorchester County, Kent County, Queen Anne's County, Somerset County, Wicomico  
23 County, or Worcester County:

24 1. for any date when 1, 2, or 3 properties are sold, an amount  
25 not to exceed \$10; and

26 2. for any date when 4 or more properties are sold, \$3 for  
27 each property sold;

28 (ii) in Caroline County[,] AND Dorchester County, [and Somerset  
29 County,] \$10 for each property sold, but in no event may the auctioneer's fee be less  
30 than \$50 a day or greater than \$200 a day;

31 (iii) in Kent County, an amount not exceeding \$7.50 for each  
32 property sold;

33 (iv) in Queen Anne's County, \$7.50 for each property sold;

34 (v) in SOMERSET COUNTY AND Wicomico County, \$8 for each  
35 property sold;

1 (vi) in Worcester County, the greater of \$8 for each property sold or  
2 \$300, to be allocated pro rata among each property sold;

3 (vii) in Baltimore City:

4 1. for any date when 1, 2, or 3 properties are sold, an amount  
5 not to exceed \$10;

6 2. for any date when 4 or more properties are sold, \$3 for  
7 each property sold; and

8 3. in an electronic sale, an amount not to exceed \$10 for each  
9 property sold; and

10 (viii) in Carroll County, the amount set by the Carroll County  
11 Commissioners.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
13 effect July 1, 2005.