

UNOFFICIAL COPY OF HOUSE BILL 1100
EMERGENCY BILL

Q2

5lr2836

By: **Delegate Elmore**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2005

CHAPTER_____

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; making this Act an emergency measure; and generally relating to tax
5 sales in Somerset County.

6 BY repealing and reenacting, with amendments,
7 Article - Tax - Property
8 Section 14-813(e)
9 Annotated Code of Maryland
10 (2001 Replacement Volume and 2004 Supplement)

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

13 **Article - Tax - Property**

14 14-813.

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

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

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

1 (iii) except as provided in items (vi) and (vii) of this paragraph, a fee
2 to the attorney representing the county treasurer for services, that does not exceed
3 \$15 for each property; except that in any county that has a paid full-time solicitor,
4 counsel or attorney, the fee shall be collected and paid into the general funds of the
5 county;

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

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

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

14 (vii) in Baltimore City:

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

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

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

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

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

28 (i) except in Baltimore City, Caroline County, Carroll County,
29 Dorchester County, Kent County, Queen Anne's County, Somerset County, Wicomico
30 County, or Worcester County:

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

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

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

- 1 (iii) in Kent County, an amount not exceeding \$7.50 for each
2 property sold;
- 3 (iv) in Queen Anne's County, \$7.50 for each property sold;
- 4 (v) in SOMERSET COUNTY AND Wicomico County, \$8 for each
5 property sold;
- 6 (vi) in Worcester County, the greater of \$8 for each property sold or
7 \$300, to be allocated pro rata among each property sold;
- 8 (vii) in Baltimore City:
- 9 1. for any date when 1, 2, or 3 properties are sold, an amount
10 not to exceed \$10;
- 11 2. for any date when 4 or more properties are sold, \$3 for
12 each property sold; and
- 13 3. in an electronic sale, an amount not to exceed \$10 for each
14 property sold; and
- 15 (viii) in Carroll County, the amount set by the Carroll County
16 Commissioners.

17 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take~~
18 ~~effect July 1, 2005.~~

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
20 measure, is necessary for the immediate preservation of the public health or safety,
21 has been passed by a ye and nay vote supported by three-fifths of all of the members
22 elected to each of the two Houses of the General Assembly, and shall take effect from
23 the date it is enacted.