

SENATE BILL 478

Q1

8lr1874

By: **Senator Madaleno**

Introduced and read first time: February 1, 2008

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Property Tax – Tax Sales**

3 FOR the purpose of altering a provision allowing a property tax collector to withhold
4 property from a tax sale when the total taxes on the property amount to less
5 than a certain amount; including Montgomery County within a provision of law
6 limiting the right of certain persons to be reimbursed for certain expenses
7 relating to the foreclosure of a right of redemption within a specified period
8 following a tax sale; providing for the application of this Act; and generally
9 relating to tax sales.

10 BY repealing and reenacting, with amendments,
11 Article – Tax – Property
12 Section 14–811 and 14–843(b)
13 Annotated Code of Maryland
14 (2007 Replacement Volume)

15 BY repealing and reenacting, without amendments,
16 Article – Tax – Property
17 Section 14–843(a)
18 Annotated Code of Maryland
19 (2007 Replacement Volume)

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

22 **Article – Tax – Property**

23 14–811.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The collector may withhold from sale any property, when the total taxes on the
2 property, including interest and penalties, amount to less than [\$100] **\$500** in any
3 1 year.

4 14–843.

5 (a) Except as provided in subsection (b) of this section, on redemption, the
6 plaintiff or the holder of a certificate of sale is entitled to be reimbursed for expenses
7 incurred in any action or in preparation for any action to foreclose the right of
8 redemption. In addition, the plaintiff or holder of a certificate of sale, on redemption, is
9 entitled to be reimbursed for fees paid for recording the certificate of sale, for
10 reasonable attorney’s fees, provided that the fees may not exceed \$400 unless an
11 action to foreclose the right of redemption has been filed, for expenses incurred in the
12 publication and service of process by publication, for reasonable fees for a necessary
13 title search, and for taxes, together with interest and penalties on the taxes, arising
14 after the date of sale that have been paid by the plaintiff, including, in Baltimore City
15 only, taxes, interest, and penalties paid in accordance with subsection (c) of this
16 section and interest at the rate of redemption provided in § 14–820 of this subtitle
17 from the date of payment to the date of redemption. The plaintiff or holder of a
18 certificate of sale is not entitled to be reimbursed for any other expenses.

19 (b) (1) Except as provided in paragraph (2) of this subsection, in Allegany
20 County, Anne Arundel County, Baltimore City, Baltimore County, Calvert County,
21 Caroline County, Carroll County, Cecil County, Charles County, Dorchester County,
22 Frederick County, Garrett County, Harford County, Howard County, Kent County,
23 **MONTGOMERY COUNTY**, Prince George’s County, Queen Anne’s County, St. Mary’s
24 County, Somerset County, Washington County, Wicomico County, and Worcester
25 County, the plaintiff or holder of a certificate of sale is not entitled to be reimbursed
26 for expenses incurred within 4 months after the date of sale.

27 (2) This subsection does not apply to property for which the holder:

28 (i) may file a complaint any time after 60 days from the date of
29 sale, pursuant to § 14–833(e) of this subtitle; or

30 (ii) must file a complaint within 3 months from the date of sale,
31 pursuant to § 14–833(c)(2) of this subtitle.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 June 1, 2008, and shall be applicable to all certificates of the sale issued on or after
34 July 1, 2008.