

# HOUSE BILL 218

M3

9lr1838

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By: **Delegate Beitzel**

Introduced and read first time: January 28, 2009

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Sanitary Commission – Collection of Unpaid Benefit**  
3 **Assessments**

4 FOR the purpose of authorizing the sanitary commission in Garrett County to take  
5 certain action to enforce the collection of certain unpaid benefit assessments or  
6 other charges; and generally relating to the powers of the sanitary commission  
7 in Garrett County.

8 BY repealing and reenacting, without amendments,  
9 Article – Environment  
10 Section 9–658(a)  
11 Annotated Code of Maryland  
12 (2007 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Environment  
15 Section 9–658(g)  
16 Annotated Code of Maryland  
17 (2007 Replacement Volume and 2008 Supplement)

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

20 **Article – Environment**

21 9–658.

22 (a) When the sanitary commission has determined a benefit assessment, and  
23 except as otherwise provided in this section, the sanitary commission shall levy a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 benefit assessment, so that the levy will be effective on the July 1 that next follows the  
2 first March 31 that occurs on or before which the construction is completed on the  
3 project for which the benefit assessment is made.

4 (g) (1) To enforce the collection of unpaid benefit assessments or other  
5 charges that are at least 60 days overdue, the sanitary commission, at any time, may:

6 (i) Sue any person who was an owner of record of the parcel at  
7 any time since the benefit assessment was last paid; or

8 (ii) File a bill in equity to enforce a lien through a decree of sale  
9 of property against any person who was an owner of record of the parcel at any time  
10 since the benefit assessment was last paid.

11 (2) In addition to the actions that the sanitary commission may take  
12 under paragraph (1) of this subsection, in Allegany County, Dorchester County,  
13 **GARRETT COUNTY**, and Somerset County, the sanitary commission may disconnect  
14 the service.

15 (3) When recorded, the lien is legal notice to any person who has any  
16 interest in a parcel.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2009.