

HOUSE BILL 218

M3

9lr1838

By: **Delegate Beitzel**

Introduced and read first time: January 28, 2009

Assigned to: Environmental Matters

Committee Report: Favorable

House action: Adopted

Read second time: March 3, 2009

CHAPTER _____

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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) When the sanitary commission has determined a benefit assessment, and
2 except as otherwise provided in this section, the sanitary commission shall levy a
3 benefit assessment, so that the levy will be effective on the July 1 that next follows the
4 first March 31 that occurs on or before which the construction is completed on the
5 project for which the benefit assessment is made.

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

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

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.