

SENATE BILL 328

Q2

9lr0686
CF 9lr2142

By: **Senators Colburn and Pipkin**

Introduced and read first time: January 28, 2009

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Caroline County – Tax Sales – Auctioneer Fees**

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

5 BY repealing and reenacting, with amendments,
6 Article – Tax – Property
7 Section 14–813(e)
8 Annotated Code of Maryland
9 (2007 Replacement Volume and 2008 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
20 fee 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;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

9 (vii) in Baltimore City:

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

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

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

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

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

23 (i) except in Baltimore City, Caroline County, Carroll County,
24 Cecil County, Dorchester County, Kent County, Queen Anne's County, Somerset
25 County, Talbot County, Wicomico County, or Worcester County:

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

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

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

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

1 (iv) in Cecil County and Queen Anne's County, \$7.50 for each
2 property sold;

3 (v) in Somerset County and Wicomico County, \$8 for each
4 property sold;

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

7 (vii) in Baltimore City:

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

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

12 3. in an electronic sale, an amount not to exceed \$10 for
13 each property sold;

14 (viii) in Carroll County, the amount set by the Carroll County
15 Commissioners; and

16 (ix) in **CAROLINE COUNTY AND** Talbot County, \$10 for each
17 property sold.

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