

# SENATE BILL 328

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9lr0686  
CF HB 269

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By: **Senators Colburn and Pipkin**

Introduced and read first time: January 28, 2009

Assigned to: Budget and Taxation

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2009

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## CHAPTER \_\_\_\_\_

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;

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**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 (iii) except as provided in items (vi) and (vii) of this paragraph, a  
2 fee 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  
11 County a fee to the attorney representing the county treasurer or director of finance,  
12 that does not exceed \$35 for each property, to be approved by the county treasurer or  
13 director of finance and by the governing body;

14 (vii) in Baltimore City:

15 1. a fee of \$30 for each property to the attorney  
16 representing the director of finance, that is collected and paid into the General Fund of  
17 Baltimore 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  
21 item (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  
25 of title before the mailing of statements and notices.

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

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

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

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

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

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

6 (iv) in Cecil County and Queen Anne’s County, \$7.50 for each  
7 property sold;

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

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

12 (vii) in Baltimore City:

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

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

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

19 (viii) in Carroll County, the amount set by the Carroll County  
20 Commissioners; and

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.