

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

House Bill 218

(Delegate Beitzel)

Environmental Matters

Education, Health, and Environmental Affairs

Garrett County - Sanitary Commission - Collection of Unpaid Benefit Assessments

This bill authorizes the Garrett County sanitary commission to disconnect sanitary service to a person who has unpaid benefit assessments or other charges that are 60 days overdue.

Fiscal Summary

State Effect: The bill does not directly affect State operations or finances.

Local Effect: Garrett County expenditures decrease beginning in FY 2010 due to the expedited procedures for handling unpaid benefit assessments authorized by the bill and the savings associated with discontinuing sanitary service. Garrett County revenues may increase minimally in FY 2010 only due to the potential earlier realization of repayment under expedited procedures.

Small Business Effect: None.

Analysis

Current Law: A sanitary commission may enforce the collection of unpaid benefit assessments or other charges when payment is at least 60 days overdue by (1) suing any person who was an owner of record of the parcel at any time since the benefit assessment was last paid; or (2) filing a bill in equity to enforce a lien through a decree of sale of property against any person who was an owner of record of the parcel at any time since the benefit assessment was last paid. In Allegany, Dorchester, and Somerset counties, the sanitary commission may disconnect the service.

Background: Sanitary systems may currently enforce unpaid water bills and other overdue sanitary charges by establishing liens on properties with such unpaid bills, and then selling these liens at a tax sale. Purchasers of such liens may then bring foreclosure actions against property owners who do not pay the outstanding liens. In addition, sanitary systems may sue property owners directly for the collection of unpaid charges or liens, which can lead to the sale or foreclosure of properties in order to satisfy judgments.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Garrett County, Maryland Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader - February 17, 2009
ncs/ljm

Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510