

SENATE BILL 272

Q2

11r1296
CF HB 258

By: **Senator Edwards**

Introduced and read first time: January 31, 2011

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Garrett County – Tax Sales – Auctioneer’s Fees**

3 FOR the purpose of altering the auctioneer’s fees allowed as an expense and a lien on
4 property to be sold at certain tax sales in Garrett County; making a certain
5 technical correction; and generally relating to tax sales in Garrett County.

6 BY repealing and reenacting, with amendments,
7 Article – Tax – Property
8 Section 14–813(e) and (f)
9 Annotated Code of Maryland
10 (2007 Replacement Volume and 2010 Supplement)

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

13 **Article – Tax – Property**

14 14–813.

15 (e) (1) The following expenses relating to the sale shall be allowed, all of
16 which are liens on the property to be sold:

17 (i) the expense of publication of all notices;

18 (ii) the cost of the county or municipal corporation surveyor’s
19 description and plat, if necessary;

20 (iii) except as provided in items (vi) and (vii) of this paragraph, a
21 fee to the attorney representing the county treasurer for services, that does not exceed
22 \$15 for each property; except that in any county that has a paid full–time solicitor,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 counsel or attorney, the fee shall be collected and paid into the general funds of the
2 county;

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

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

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

11 (vii) in Baltimore City:

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

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

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

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

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

25 (i) except in Baltimore City, Caroline County, Carroll County,
26 Cecil County, Dorchester County, **GARRETT COUNTY**, Howard County, Kent County,
27 Prince George's County, Queen Anne's County, Somerset County, Talbot County,
28 Wicomico County, or Worcester County:

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

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

33 (ii) in Dorchester County, \$10 for each property sold, but in no
34 event may the auctioneer's fee be less than \$50 a day or greater than \$200 a day;

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

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

5 (v) in **GARRETT COUNTY**, Somerset County, and Wicomico
6 County, \$8 for each property sold;

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

9 (vii) in Baltimore City:

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

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

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

16 (viii) in Carroll County, the amount set by the Carroll County
17 Commissioners; and

18 (ix) in Caroline County, Howard County, Prince George's
19 County, and Talbot County, \$10 for each property sold.

20 (f) In Garrett County, instead of complying with (d)(1)(i) through (iv) of this
21 section, the notice shall contain a statement that gives the year or years for which the
22 taxes are due and the amount of the taxes, to whom the property is assessed, the
23 district where the property is located, the quantity of land offered for sale, the name or
24 number of the tract or lot of land, if the property has a name or number, and is
25 assessed by that name or number and if there is record evidence of the property in
26 Garrett County, a reference to the record liber and folio where the deed or conveyance
27 for the property is recorded, the name of the grantor and the date of the deed or
28 conveyance, or any other description as is sufficient legally to identify the property,
29 but in no case is a description by metes and bounds, courses and distances required.
30 The [county treasurer] **COLLECTOR IN GARRETT COUNTY** may employ an attorney
31 to examine the title to the land to be advertised or sold for taxes, under this subtitle, to
32 provide the information required for the notice and prepare the notice for publication,
33 for which services a sum that does not exceed \$150 shall be added to the total charges
34 due on the property.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2011.