

## Chapter 320

**(Senate Bill 96)**

AN ACT concerning

**Baltimore City – Tax Sales of Real Property – Water Liens  
(Water Taxpayer Protection Act of 2019)**

FOR the purpose of requiring the collector in Baltimore City to withhold from tax sale certain places of worship if the taxes on the property consist only of a lien for unpaid charges for water and sewer service; repealing the authority of the Mayor and City Council of Baltimore City to sell certain properties to enforce a lien for unpaid charges for water and sewer service if the properties are also being sold to enforce another lien; repealing the authority of the Mayor and City Council of Baltimore City to sell certain ~~places of worship~~ real property owned by religious groups or organizations to enforce a lien for unpaid charges for water and sewer service; repealing the authority of Baltimore City to enforce a water and sewer service lien on residential property if the property is being sold to enforce another lien; providing that this Act does not affect other rights or remedies of Baltimore City to collect unpaid charges for water and sewer service, ~~subject to a certain exception; prohibiting Baltimore City from acquiring residential property and places of worship by means of execution of a judgment under certain circumstances~~; repealing a certain termination provision relating to the authority of Baltimore City to sell real property to enforce a water and sewer service lien; providing for the application of certain provisions of this Act; and generally relating to tax sales of real property in Baltimore City.

BY repealing and reenacting, with amendments,  
 Article – Tax – Property  
 Section ~~14–811(b)~~ and 14–849.1  
 Annotated Code of Maryland  
 (2012 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,  
 Chapter 714 of the Acts of the General Assembly of 2018  
 Section 3

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

**Article – Tax – Property**14–811.

(b) (1) The collector may withhold from sale any residential property, when the total taxes on the property, including interest and penalties, amount to less than \$750.

(2) In Baltimore City, the collector shall withhold from sale owner-occupied residential property, when the total taxes on the property, including interest and penalties, amount to less than \$750.

(3) In Baltimore City, the collector shall withhold from sale residential property OR PROPERTY THAT IS EXEMPT FROM TAXATION UNDER § 7-204(1) OR (2) OF THIS ARTICLE, if the taxes on the property consist only of a lien for unpaid charges for water and sewer service.

14-849.1.

(a) In Baltimore City, the Mayor and City Council may not sell a property [solely] to enforce a lien for unpaid charges for water and sewer service unless:

(1) the lien is for at least \$350;

(2) the property is not:

(I) a residential property; OR

(II) REAL PROPERTY ~~USED EXCLUSIVELY AS A PLACE OF WORSHIP~~ THAT IS EXEMPT FROM TAXATION UNDER § 7-204(1) OR (2) OF THIS ARTICLE; and

(3) the unpaid charges for water and sewer service are at least 3 quarters in arrears.

(b) [(1)] Notwithstanding subsection (a) of this section, the Mayor and City Council may enforce a lien on a property other than residential property OR REAL PROPERTY ~~USED EXCLUSIVELY AS A PLACE OF WORSHIP~~ THAT IS EXEMPT FROM TAXATION UNDER § 7-204(1) OR (2) OF THIS ARTICLE for unpaid water and sewer service that is less than \$350 if the property is being sold to enforce another lien.

[(2) Notwithstanding subsection (a) of this section, the Mayor and City Council may enforce a lien on residential property for unpaid water and sewer service if the property is being sold to enforce another lien.]

**(C) ~~(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS~~ THIS SECTION DOES NOT AFFECT ANY OTHER RIGHT OR REMEDY OF BALTIMORE CITY FOR THE COLLECTION OF A WATER AND SEWER SERVICE CHARGE.**

**~~(2) BALTIMORE CITY MAY NOT ACQUIRE RESIDENTIAL PROPERTY OR REAL PROPERTY USED EXCLUSIVELY AS A PLACE OF WORSHIP BY MEANS OF~~**

~~EXECUTION OF A JUDGMENT FOR FAILURE BY THE OWNER, ON WHOM THE WATER AND SEWER SERVICE CHARGE WAS ORIGINALLY MADE, TO PAY THE WATER AND SEWER SERVICE CHARGE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Chapter 714 of the Acts of 2018**

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018. [It shall remain effective for a period of 1 year and 3 months and, at the end of December 31, 2019, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.]

SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any liens attached to real property before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

**Approved by the Governor, April 30, 2019.**