

SENATE BILL 1181

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4lr3530

By: **Senator Jennings**

Introduced and read first time: February 20, 2024

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Recovery of Possession – Filing of Sworn Affidavit**

3 FOR the purpose of requiring the District Court to issue, and a sheriff to immediately
4 execute, a warrant for possession of a property to return a property to a person that
5 has submitted a sworn affidavit stating that a person is unlawfully in possession of
6 the property; and generally relating to actions for repossession of real property.

7 BY adding to

8 Article – Real Property

9 Section 14–132.1

10 Annotated Code of Maryland

11 (2023 Replacement Volume)

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

14 **Article – Real Property**

15 **14–132.1.**

16 **(A) A PERSON CLAIMING POSSESSION OF A PROPERTY UNDER LAW MAY**
17 **SUBMIT A SWORN AFFIDAVIT TO THE DISTRICT COURT OF THE COUNTY IN WHICH**
18 **THE PROPERTY IS LOCATED STATING THAT THE PERSON IN POSSESSION OF THE**
19 **PROPERTY IS UNLAWFULLY ON THE PROPERTY.**

20 **(B) ON RECEIPT OF AN AFFIDAVIT SUBMITTED UNDER SUBSECTION (A) OF**
21 **THIS SECTION, THE DISTRICT COURT SHALL ISSUE A WARRANT TO THE SHERIFF,**
22 **WHO SHALL PROCEED IMMEDIATELY TO EXECUTE THE WARRANT AND RETURN**
23 **POSSESSION OF THE PROPERTY TO THE PERSON CLAIMING POSSESSION.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.