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Maryland Circuit Court Clerks' Association

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The Maryland Clerks Association supports Senate bill 291 as written.

The clerk's association fully supports SB 291. This bill would provide the clerks a legal basis to exempt Maryland State agencies from recordation fees in our land records departments. We currently do not charge fees to state agencies based on a Letter of Advice from the Attorney General's office dated, 12/21/2001. The AG stressed that Maryland State agencies need not pay recording costs when they are a party to the deed. The AG went so far as to strongly recommend that state agencies in Maryland, seek a legislative amendment to Real Property § 3-603 to also include the State, along with municipalities and county government in the exemption of paying recording costs. The AG concluded that there would be no fiscal impact because almost all State agencies obtain their funding from the General Fund, and the fees collected by the circuit court clerks generally, are deposited into the General Fund. In addition, Courts and Juridical Proceedings § 7-202 (b) already exempts State, municipalities and county government from paying any fees to file a case in the clerk's office. Passage of Senate Bill 291 would make Real Property § 3-603 uniform with Courts and Judicial § 7-202 and thereby provide a clear fee exemption under the law. This bill will allow our offices have a uniform, consist application of fees, in not only our individual offices, but across the state as well. Thank you for your support and if you have any further questions or concerns do not hesitate to let me know.

Dawne D. Lindsey

Clerk of Court Allegany County

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