



MARYLAND
Association of
COUNTIES

Senate Bill 156

Courts – Service of Process – Increase in Sheriff's Fees – Distribution to Rental Allowance Program Fund

MACo Position: **OPPOSE**

Date: February 5, 2013

To: Judicial Proceedings and Education,
Health, and Environmental Affairs
Committees

From: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) OPPOSES Senate Bill 156 (SB 156). The bill would increase the various fees collected by sheriffs for service of process by \$10. The additional \$10 would go into a newly-created Rental Allowance Program Fund within the Department of Housing and Community Development. Monies from the Fund must be used in support of the existing Rental Allowance Program. The Rental Allowance Program helps low-income individuals find or maintain housing by providing housing assistance payments.

While MACo supports the admirable goals of the Rental Allowance Program, the current service of process charges are completely inadequate to fund the actual costs that sheriffs incur when performing their duty. A 1998 Department of Legislative Services report, *Sheriff's Fees in Maryland*, found that in the aggregate, service of process fees and summary ejectment fees did not cover the costs incurred by the sheriffs' departments. Although service of process fees were increased by \$10 in 2007, the fees still do not offset the costs.

MACo believes that any fee increase should first be directed towards covering the costs incurred by the sheriffs' offices before creating a new funding stream for an essentially unrelated State program. While the goals of the Rental Allowance Program are admirable, the nexus between the Program and service of process fees is tenuous at best. Accordingly, MACo recommends the Committees issue an UNFAVORABLE report on SB 156.