
By: **St. Mary's County Delegation**

Introduced and read first time: February 5, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County - Real Property - Recordation**

3 FOR the purpose of adding St. Mary's County to the list of counties in which
4 recordation by the Clerk of the Circuit Court of instruments affecting property
5 may be done prior to transfer of the property on the assessment records; and
6 generally relating to recordation of instruments in St. Mary's County.

7 BY repealing and reenacting, with amendments,
8 Article - Real Property
9 Section 3-104(a)
10 Annotated Code of Maryland
11 (1996 Replacement Volume and 1997 Supplement)

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

14 **Article - Real Property**

15 3-104.

16 (a) (1) Except as provided in paragraph (2) of this subsection, a deed or
17 other instrument which effects a change of ownership on the assessment books under
18 the Tax - Property Article may not be recorded until the property granted is
19 transferred on the assessment books or records of the county where the property is
20 located to the grantee or assignee named in the deed or other instrument. When
21 submitting the deed or other instrument for transfer on the assessment books, the
22 person offering the deed or other instrument, on request, shall mail or deliver to the
23 person having charge of the assessment books, a statement of any building and
24 improvement on the property granted. When the property is transferred on the
25 assessment books, the person recording the transfer shall evidence the fact of transfer
26 on the deed or other instrument. This endorsement is sufficient to authorize the
27 recording of the deed or other instrument by the clerk of the appropriate court.

28 (2) (i) The provisions of this paragraph apply only in the following
29 counties:

- 1 1. Baltimore County;
- 2 2. Cecil County;
- 3 3. Charles County;
- 4 4. Dorchester County;
- 5 5. Harford County;
- 6 6. ST. MARY'S COUNTY;
- 7 [6.] 7. Washington County; and
- 8 [7.] 8. Worcester County.

9 (ii) The Clerk of the Circuit Court may record an instrument that
10 effects a change of ownership if the instrument is:

- 11 1. Endorsed with the certificate of the collector of taxes of the
12 county in which the property is assessed, required under subsection (b) of this section;
13 and
- 14 2. Accompanied by:
 - 15 A. A complete intake sheet; and
 - 16 B. A copy of the instrument, and any survey, for submission
17 to the Department of Assessments and Taxation.

18 (iii) The Supervisor of Assessments shall transfer ownership of
19 property in the assessment records, effective as of the date of recordation, upon
20 receipt from the Clerk of the Circuit Court of a copy of the instrument, the completed
21 intake sheet, and any survey submitted under subparagraph (ii) of this paragraph.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 1998.