

Chapter 109

(House Bill 1403)

AN ACT concerning

Homestead Exemption – Bankruptcy – Interest in Manufactured Home

FOR the purpose of altering certain provisions of law concerning an exemption for a certain amount in an individual's interest in owner-occupied, residential real property in a certain bankruptcy proceeding to include an interest in a certain manufactured home; providing for the application of this Act; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,
 Article – Courts and Judicial Proceedings
 Section 11–504(f)(1)
 Annotated Code of Maryland
 (2013 Replacement Volume and 2013 Supplement)

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

Article – Courts and Judicial Proceedings

11–504.

(f) (1) (i) In addition to the exemptions provided in subsection (b) of this section, and in other statutes of this State, in any proceeding under Title 11 of the United States Code, entitled “Bankruptcy”, any individual debtor domiciled in this State may exempt the debtor's aggregate interest in:

1. Personal property, up to \$5,000; and
2. Subject to subparagraph (ii) of this paragraph:
 - A. Owner-occupied residential real property, including a condominium unit **OR A MANUFACTURED HOME THAT HAS BEEN CONVERTED TO REAL PROPERTY IN ACCORDANCE WITH § 8B–201 OF THE REAL PROPERTY ARTICLE**; or
 - B. A cooperative housing corporation that owns property that the debtor occupies as a residence.

(ii) The exemption allowed under subparagraph (i)2 of this paragraph may not exceed the amount under 11 U.S.C. § 522(d)(1), adjusted in accordance with 11 U.S.C. § 104, subject to the provisions of paragraphs (2) and (3) of this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That 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 case filed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, April 8, 2014.