

HOUSE BILL 595

N1

7lr2551
CF SB 376

By: **Delegates McMillan, Beidle, Cassilly, Folden, Holmes, Jalisi, and McComas**
Introduced and read first time: January 30, 2017
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Mortgages and Deeds of Trust – Certification Requirement for Recordation –**
3 **Repeal**

4 FOR the purpose of repealing the requirement that a mortgage or deed of trust bear a
5 certain attorney certification or a certification that the instrument was prepared by
6 a certain party in order to be recorded; making a certain stylistic change; and
7 generally relating to the recording of mortgages and deeds of trust.

8 BY repealing and reenacting, with amendments,
9 Article – Real Property
10 Section 3–104(f)(1)
11 Annotated Code of Maryland
12 (2015 Replacement Volume and 2016 Supplement)

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

15 **Article – Real Property**

16 3–104.

17 (f) (1) No deed[, mortgage, or deed of trust] may be recorded unless it bears
18 the certification of an attorney [at law] that the instrument has been prepared by an
19 attorney or under an attorney’s supervision, or a certification that the instrument was
20 prepared by one of the parties named in the instrument.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2017.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

