

HOUSE BILL 994

D3, N1
HB 971/16 – ENV

7lr1125
CF SB 1077

By: ~~Delegates Waldstreicher, Barve, and Holmes~~ Holmes, Jalisi, Carr, and Beidle

Introduced and read first time: February 8, 2017

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2017

CHAPTER _____

1 AN ACT concerning

2 **Statute of Limitations – Residential Leases Signed Under Seal**

3 FOR the purpose of clarifying the time period within which a civil action on a residential
4 lease that has been signed under seal must be filed; declaring the intent of the
5 General Assembly; and generally relating to the statute of limitations for residential
6 leases signed under seal.

7 BY repealing and reenacting, without amendments,
8 Article – Courts and Judicial Proceedings
9 Section 5–101
10 Annotated Code of Maryland
11 (2013 Replacement Volume and 2016 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Courts and Judicial Proceedings
14 Section 5–102
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2016 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 5–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 A civil action at law shall be filed within three years from the date it accrues unless
2 another provision of the Code provides a different period of time within which an action
3 shall be commenced.

4 5–102.

5 (a) An action on one of the following specialties shall be filed within 12 years after
6 the cause of action accrues, or within 12 years from the date of the death of the last to die
7 of the principal debtor or creditor, whichever is sooner:

8 (1) Promissory note or other instrument under seal;

9 (2) Bond except a public officer's bond;

10 (3) Judgment;

11 (4) Recognizance;

12 (5) Contract under seal; or

13 (6) Any other specialty.

14 (b) A payment of principal or interest on a specialty suspends the operation of
15 this section as to the specialty for three years after the date of payment.

16 (c) This section does not apply to:

17 (1) A specialty taken for the use of the State; [or]

18 (2) A deed of trust, mortgage, or promissory note that has been signed
19 under seal and secures or is secured by owner-occupied residential property, as defined in
20 § 7–105.1 of the Real Property Article; **OR**

21 **(3) A RESIDENTIAL LEASE THAT HAS BEEN SIGNED UNDER SEAL.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
23 Assembly to clarify that an action for rent arrears under any kind of residential lease must
24 be filed in compliance with § 5–101 of the Courts Article.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 2017.