

# HOUSE BILL 562

N1, M3

9lr0563

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By: **Montgomery County Delegation**

Introduced and read first time: February 4, 2019

Assigned to: Environment and Transportation

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Montgomery County – Sale of Residential Real Property – Septic Systems**  
3 **Outreach Toolkit**

4 **MC 16-19**

5 FOR the purpose of ~~requiring a vendor of residential real property served by a septic system~~  
6 ~~in Montgomery County to, on or before the execution of a contract for the sale of~~  
7 ~~residential real property, deliver certain Septic Systems Outreach Toolkit materials~~  
8 ~~to each purchaser;~~ requiring a contract for the sale of residential real property in  
9 Montgomery County to contain a provision that provides certain notice of a certain  
10 Septic Systems Outreach Toolkit; requiring a certain contract provision to be  
11 independently initialed by the purchaser; providing that the failure to comply with  
12 certain requirements does not void a certain contract; defining a certain term; and  
13 generally relating to the sale of residential real property in Montgomery County.

14 BY adding to

15 Article – Real Property

16 Section 10-711 and 14-117(n)

17 Annotated Code of Maryland

18 (2015 Replacement Volume and 2018 Supplement)

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

21 **Article – Real Property**

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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 10-711.

2 (A) IN THIS SECTION, "SEPTIC SYSTEMS OUTREACH TOOLKIT" MEANS A  
3 SET OF MATERIALS THAT:

4 (1) PROMOTE HOMEOWNER EDUCATION AND AWARENESS  
5 REGARDING SEPTIC SYSTEMS; AND

6 (2) ARE AVAILABLE TO THE PUBLIC FOR DOWNLOAD FROM THE U.S.  
7 ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE.

8 ~~(B) IN MONTGOMERY COUNTY, ON OR BEFORE THE EXECUTION OF A~~  
9 ~~CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY SERVED BY A SEPTIC~~  
10 ~~SYSTEM, A VENDOR SHALL DELIVER TO EACH PURCHASER A COPY OF THE~~  
11 ~~FOLLOWING SEPTIC SYSTEMS OUTREACH TOOLKIT MATERIALS:~~

12 ~~(1) NEW HOMEBUYER'S BROCHURE AND GUIDE TO SEPTIC SYSTEMS;~~

13 ~~(2) DO'S AND DON'TS HOMEOWNER'S BROCHURE; AND~~

14 ~~(3) TOP 10 WAYS TO BE A GOOD SEPTIC OWNER DOCUMENT.~~

15 (B) IN MONTGOMERY COUNTY, A CONTRACT FOR THE SALE OF  
16 RESIDENTIAL REAL PROPERTY SHALL INCLUDE A PROVISION THAT PROVIDES  
17 NOTICE OF THE SEPTIC SYSTEMS OUTREACH TOOLKIT AVAILABLE THROUGH THE  
18 U.S. ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE, INCLUDING AN INTERNET  
19 ADDRESS THAT LINKS TO THE SEPTIC SYSTEMS OUTREACH TOOLKIT.

20 (C) THE CONTRACT PROVISION REQUIRED IN SUBSECTION (B) OF THIS  
21 SECTION SHALL BE INDEPENDENTLY INITIALED BY THE PURCHASER.

22 (D) THE FAILURE OF A VENDOR TO INCLUDE, OR FOR THE PURCHASER TO  
23 INITIAL, THE CONTRACT PROVISION REQUIRED IN SUBSECTION (B) OF THIS SECTION  
24 IN A CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY MAY NOT VOID THE  
25 CONTRACT.

26 14-117.

27 (N) (1) THIS SUBSECTION APPLIES ONLY IN MONTGOMERY COUNTY.

28 (2) A CONTRACT FOR THE SALE OF RESIDENTIAL REAL PROPERTY  
29 SHALL CONTAIN A PROVISION, AS DESCRIBED IN § 10-711 OF THIS ARTICLE, THAT  
30 PROVIDES NOTICE OF THE SEPTIC SYSTEMS OUTREACH TOOLKIT AVAILABLE

1 THROUGH THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S WEBSITE,  
2 INCLUDING AN INTERNET ADDRESS THAT LINKS TO THE SEPTIC SYSTEMS  
3 OUTREACH TOOLKIT.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2019.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.