

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Third Reader

Senate Bill 289

(Senator Edwards)

Judicial Proceedings

Environment and Transportation

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**Real Property - Allegany County - Transfer of Property on Assessment Books**

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This bill adds Allegany County to the list of counties that prohibit the transfer of property on the assessment books or records unless specified charges due to municipal corporations are also paid. **The bill takes effect June 1, 2020.**

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State finances or operations.

**Local Effect:** The bill is not anticipated to materially affect the finances or operations of Allegany County or its municipalities; however, those municipalities benefit by having all charges due them paid before the transfer of property.

**Small Business Effect:** Minimal.

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**Analysis**

**Bill Summary/Current Law:** Generally, property may not be transferred on the assessment books or records until (1) all public taxes, assessments, and charges currently due and owed on the property have been paid to the treasurer, tax collector, or director of finance of the county in which the property is assessed and (2) all taxes on personal property in the county due by the transferor have been paid when all land owned by the transferor in the county is being transferred. The collection agent must endorse on the deed a certificate showing that all taxes, assessments, and charges have been paid. The endorsement is sufficient authority for transfer on the assessment books.

In Cecil, Charles, Dorchester, Harford, Howard, Kent, Queen Anne's, Somerset, and St. Mary's counties, no property may be transferred on the assessment books or records until (1) all public taxes, assessments, any charges due to a municipal corporation, and charges due on the property have been paid and (2) all taxes on personal property in the county due by the transferor have been paid when all land owned by the transferor in the county and municipal corporation is being transferred. The certificate of the collecting agent and municipal corporation designated by law showing that all taxes, assessments, and charges have been paid must be endorsed on the deed. The endorsement is sufficient authority for transfer on the assessment books. The bill adds Allegany County to this list of counties.

Statutory provisions include exceptions to the requirements for prepayment of personal property taxes, in specified situations, including those relating to grants of land made in bankruptcy proceedings.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** HB 678 (Allegany County Delegation) - Environment and Transportation.

**Information Source(s):** Cities of Cumberland and Frostburg; Judiciary (Administrative Office of the Courts); State Department of Assessments and Taxation; Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2020  
mr/jkb Third Reader - February 21, 2020

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