
By: Senators Amoss, Craig, and Collins
Introduced and read first time: February 2, 1996
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Harford County - Recordation**

3 FOR the purpose of providing that in Harford County recordation of instruments
4 affecting property by the Clerk of the Circuit Court may be done prior to transfer of
5 the property on the assessment records; providing for transfer of the property on
6 the assessment records; providing for formulation of certain procedures; and
7 generally relating to recordation of instruments in Harford County.

8 BY repealing and reenacting, with amendments,
9 Article - Real Property
10 Section 3-104(a)
11 Annotated Code of Maryland
12 (1996 Replacement Volume)

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

15 **Article - Real Property**

16 3-104.

17 (a) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
18 A deed or other instrument which effects a change of ownership on the assessment books
19 under the Tax - Property Article may not be recorded until the property granted is
20 transferred on the assessment books or records of the county where the property is
21 located to the grantee or assignee named in the deed or other instrument. When
22 submitting the deed or other instrument for transfer on the assessment books, the person
23 offering the deed or other instrument, on request, shall mail or deliver to the person
24 having charge of the assessment books, a statement of any building and improvement on
25 the property granted. When the property is transferred on the assessment books, the
26 person recording the transfer shall evidence the fact of transfer on the deed or other
27 instrument. This endorsement is sufficient to authorize the recording of the deed or other
28 instrument by the clerk of the appropriate court.

29 (2) IN HARFORD COUNTY:

30 (I) THE CLERK OF THE CIRCUIT COURT MAY RECORD AN
31 INSTRUMENT THAT EFFECTS A CHANGE OF OWNERSHIP IF THE INSTRUMENT IS:

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1 1. ENDORSED WITH THE CERTIFICATE OF THE COUNTY
2 TREASURER REQUIRED UNDER SUBSECTION (B) OF THIS SECTION; AND

3 2. ACCOMPANIED BY:

4 A. A COMPLETE INTAKE SHEET; AND

5 B. A COPY OF THE INSTRUMENT, AND ANY SURVEY, FOR
6 SUBMISSION TO THE DEPARTMENT OF ASSESSMENTS AND TAXATION; AND

7 (II) THE SUPERVISOR OF ASSESSMENTS SHALL TRANSFER
8 OWNERSHIP OF PROPERTY IN THE ASSESSMENT RECORDS, EFFECTIVE AS OF THE
9 DATE OF RECORDATION, UPON RECEIPT FROM THE CLERK OF THE CIRCUIT COURT
10 OF A COPY OF THE INSTRUMENT, THE COMPLETED INTAKE SHEET, AND ANY
11 SURVEY SUBMITTED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit
13 Court for Harford County, the Administrative Office of the Courts, the State Department
14 of Taxation and Assessments, and the Treasurer for Harford County may formulate the
15 procedures governing recordation of instruments as authorized under this Act, so as to
16 simplify the procedures for recordation of instruments while ensuring the integrity of the
17 land and assessment records.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 1996.