

By: Senators Amoss, Craig, and Collins

Introduced and read first time: February 2, 1996

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 5, 1996

CHAPTER ____

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

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1 the property granted. When the property is transferred on the assessment books, the
2 person recording the transfer shall evidence the fact of transfer on the deed or other
3 instrument. This endorsement is sufficient to authorize the recording of the deed or other
4 instrument by the clerk of the appropriate court.

5 (2) IN HARFORD COUNTY:

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

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

10 2. ACCOMPANIED BY:

11 A. A COMPLETE INTAKE SHEET; AND

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

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

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit
20 Court for Harford County, the Administrative Office of the Courts, the State Department
21 of ~~Taxation and Assessments~~ Assessments and Taxation, and the Treasurer for Harford
22 County may formulate the procedures governing recordation of instruments as authorized
23 under this Act, so as to simplify the procedures for recordation of instruments while
24 ensuring the integrity of the land and assessment records.

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