

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 1331 (Delegate Wood)
Economic Matters

Referred to Judicial Proceedings

St. Mary's County - Subdivision of Land - Validity of Specified Deeds

This amended bill provides that deeds executed or recorded before August 1, 1990 (December 1, 1985 in critical areas) in St. Mary's County are granted the validity and effectiveness of those executed or recorded before June 1, 1974. Specified conditions must be met before such a lot or parcel created after March 15, 1978 is considered qualified for building purposes.

The bill is effective June 1, 1996.

Fiscal Summary

State Effect: None.

Local Effect: None, as discussed below.

Fiscal Analysis

Local Effect: A lawsuit filed against the St. Mary's Board of County Commissioners resulted in a court order to commence penalty lawsuits against those who violated subdivision laws put in place after March 15, 1978. This decision is being appealed. It is estimated that at least 3,000 violations of the subdivision laws occurred during the 12 years involved (the county did not enforce the requirement). If all violations are pursued, \$600,000 to \$3 million in penalty fees could be collected if all suits are successful, depending upon the amount of the fines (\$200-\$1,000). The cost of litigating these suits is expected to be significant, due to attorneys' fees, process fees, title searches, and the cost of locating defendants; these expenditures could outweigh revenues particularly if the suits are successfully defended. It is assumed that under this bill, no such lawsuits would be pursued.

Information Source(s): St. Mary's County, Department of Fiscal Services

Fiscal Note History: First Reader - March 11, 1996

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Revised - House Third Reader - March 26, 1996

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