

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

Senate Bill 427 (Senator Boozer)
Judicial Proceedings

Referred to Economic Matters

Real Property - Relocation of Ingress and Egress Easements

This amended bill establishes conditions under which the owner of land that is subject to an ingress and egress easement may relocate the easement. Specifically, the bill provides that the owner of the land must record, in the land records of the county in which the easement is located, a written agreement that evidences the consent of all interested parties, indicates the new location of the easement, and is indexed under the name of the owner of land that is subject to the easement. In the absence of a written agreement, the owner may petition the circuit court to relocate the easement. Furthermore, the court order relocating the easement must be recorded in the land records of the county in which the easement is located, and indexed under the name of the owner of the land that is subject to the easement.

Fiscal Summary

State Effect: Potential minimal increase in general and special fund revenues, as discussed below. No effect on expenditures.

Local Effect: None.

Fiscal Analysis

State Effect: General fund revenues would increase to the extent that owners of servient easements make recordings to relocate ingress and egress easements. Recordings in the land records require payment of a recordation fee that ranges from \$10 to \$75, depending on the length of the recording and the type of instrument that is being recorded. Special fund revenues would stem from a surcharge, not to exceed \$5, that is applied for each type of instrument that is recorded in the land records and that is deposited into the Land Records Improvement Fund. The volume of recordings and petitions resulting from the bill is expected to be minimal.

Information Source(s): Judiciary (Administrative Office of the Courts), Department of

Fiscal Services

Fiscal Note History: First Reader - February 14, 1996
ncs Revised - Senate Third Reader - March 12, 1996

Analysis by: LaTaunya D. Howard
Reviewed by: John Rixey

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 841-3710
(301) 858-3710