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(PRE-FILED)

By: ~~Delegate Bozman~~ Delegates Bozman, Minnick, and Linton

Requested: August 29, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 18, 1997

CHAPTER ____

1 AN ACT concerning

2 **Real Property - ~~Worcester County~~ Baltimore, Cecil, Charles, and Worcester Counties -**
3 **Recordation**

4 FOR the purpose of providing that in ~~Worcester County~~ Baltimore, Cecil, Charles, and
5 Worcester Counties recordation of instruments affecting property by the Clerk of
6 the Circuit Court may be done prior to transfer of the property on the assessment
7 records; providing for the transfer of the property on the assessment records; and
8 generally relating to recordation in ~~Worcester County~~ Baltimore, Cecil, Charles,
9 and Worcester Counties.

10 BY repealing and reenacting, with amendments,
11 Article - Real Property
12 Section 3-104(a)
13 Annotated Code of Maryland
14 (1996 Replacement Volume and 1996 Supplement)

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

17 **Article - Real Property**

18 3-104.

19 (a) (1) Except as provided in paragraph (2) of this subsection, a deed or other
20 instrument which effects a change of ownership on the assessment books under the Tax -
21 Property Article may not be recorded until the property granted is transferred on the
22 assessment books or records of the county where the property is located to the grantee or
23 assignee named in the deed or other instrument. When submitting the deed or other

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1 instrument for transfer on the assessment books, the person offering the deed or other
2 instrument, on request, shall mail or deliver to the person having charge of the assessment
3 books, a statement of any building and improvement on the property granted. When the
4 property is transferred on the assessment books, the person recording the transfer shall
5 evidence the fact of transfer on the deed or other instrument. This endorsement is
6 sufficient to authorize the recording of the deed or other instrument by the clerk of the
7 appropriate court.

8 (2) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY IN THE
9 FOLLOWING JURISDICTIONS:

10 1. [In] BALTIMORE COUNTY;

11 2. CECIL COUNTY;

12 3. CHARLES COUNTY;

13 4. Harford County; AND

14 ~~2.~~ 5. WORCESTER COUNTY.

15 [(i)] (II) The Clerk of the Circuit Court may record an instrument that
16 effects a change of ownership if the instrument is:

17 1. Endorsed with the certificate of the [County Treasurer]
18 COLLECTOR OF TAXES OF THE COUNTY IN WHICH THE PROPERTY IS ASSESSED,
19 required under subsection (b) of this section; and

20 2. Accompanied by:

21 A. A complete intake sheet; and

22 B. A copy of the instrument, and any survey, for submission to
23 the Department of Assessments and Taxation[]; and].

24 [(ii)] (III) The Supervisor of Assessments shall transfer ownership of
25 property in the assessment records, effective as of the date of recordation, upon receipt
26 from the Clerk of the Circuit Court of a copy of the instrument, the completed intake
27 sheet, and any survey submitted under subparagraph [(i)] (II) of this paragraph.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 1997.