
By: Senator Collins (Baltimore County Administration)

Introduced and read first time: January 24, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Baltimore County - Recordation**

3 FOR the purpose of providing that, in Baltimore 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 Baltimore 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 and 1996 Supplement)

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

29 (2) In BALTIMORE COUNTY AND Harford County:

30 (i) The Clerk of the Circuit Court may record an instrument that
31 effects a change of ownership if the instrument is:

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1 1. Endorsed with the certificate of the County Treasurer
2 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 submission to
6 the Department of Assessments and Taxation; and

7 (ii) The Supervisor of Assessments shall transfer ownership of
8 property in the assessment records, effective as of the date of recordation, upon receipt
9 from the Clerk of the Circuit Court of a copy of the instrument, the completed intake
10 sheet, and any survey submitted under subparagraph (i) of this paragraph.

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

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1997.