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1997 Regular Session
7r0080

By: Senator Collins (Baltimore County Administration)

Introduced and read first time: January 24, 1997

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 17, 1997

CHAPTER ____

1 AN ACT concerning

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

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

12 BY repealing and reenacting, with amendments,
13 Article - Real Property
14 Section 3-104(a)
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 1996 Supplement)

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

19 **Article - Real Property**

20 3-104.

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

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

9 (2) ~~In BALTIMORE COUNTY AND Harford County:~~

10 (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY IN THE
11 FOLLOWING COUNTIES:

12 1. BALTIMORE COUNTY;

13 2. CECIL COUNTY;

14 3. CHARLES COUNTY;

15 4. DORCHESTER COUNTY;

16 5. HARFORD COUNTY; AND

17 6. MONTGOMERY COUNTY;

18 7. WASHINGTON COUNTY; AND

19 ~~6. 7. 8.~~ WORCESTER COUNTY.

20 (ii) (II) The Clerk of the Circuit Court may record an instrument that
21 effects a change of ownership if the instrument is:

22 1. Endorsed with the certificate of the ~~County Treasurer~~
23 COLLECTOR OF TAXES OF THE COUNTY IN WHICH THE PROPERTY IS ASSESSED
24 required under subsection (b) of this section; and

25 2. Accompanied by:

26 A. A complete intake sheet; and

27 B. A copy of the instrument, and any survey, for submission to
28 the Department of Assessments and Taxation; ~~and~~ .

29 (iii) (III) The Supervisor of Assessments shall transfer ownership of
30 property in the assessment records, effective as of the date of recordation, upon receipt
31 from the Clerk of the Circuit Court of a copy of the instrument, the completed intake
32 sheet, and any survey submitted under subparagraph (i) (II) of this paragraph.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the ~~Clerk of the Circuit~~
34 ~~Court for Baltimore County~~ Clerks of the Circuit Courts for Baltimore, Cecil, Charles,
35 Dorchester, Montgomery, Washington, and Worcester Counties, the Administrative
36 Office of the Courts, the State Department of Assessments and Taxation, and the

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1 ~~Treasurer for Baltimore County~~ collectors of taxes for Baltimore, Cecil, Charles,
2 Dorchester, Montgomery, Washington, and Worcester Counties may formulate the
3 procedures governing recordation of instruments as authorized under this Act, so as to
4 simplify the procedures for recordation of instruments while ensuring the integrity of the
5 land and assessment records.

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