

HOUSE BILL 128

Unofficial Copy
N1

1998 Regular Session
8r0818

By: **Howard County Delegation**

Introduced and read first time: January 19, 1998

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Recordation - Assessment Books**
3 **Ho. Co. 15-98**

4 FOR the purpose of providing that, in Howard County, recordation by the Clerk of the
5 Circuit Court of instruments affecting property may be done, under certain
6 circumstances, prior to transfer of the property on the assessment records;
7 providing for the formulation of certain procedures; and generally relating to
8 recordation in Howard County.

9 BY repealing and reenacting, with amendments,
10 Article - Real Property
11 Section 3-104(a)
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1997 Supplement)

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

16 **Article - Real Property**

17 3-104.

18 (a) (1) Except as provided in paragraph (2) of this subsection, a deed or
19 other instrument which effects a change of ownership on the assessment books under
20 the Tax - Property Article may not be recorded until the property granted is
21 transferred on the assessment books or records of the county where the property is
22 located to the grantee or assignee named in the deed or other instrument. When
23 submitting the deed or other instrument for transfer on the assessment books, the
24 person offering the deed or other instrument, on request, shall mail or deliver to the
25 person having charge of the assessment books, a statement of any building and
26 improvement on the property granted. When the property is transferred on the
27 assessment books, the person recording the transfer shall evidence the fact of transfer
28 on the deed or other instrument. This endorsement is sufficient to authorize the
29 recording of the deed or other instrument by the clerk of the appropriate court.

1 (2) (i) The provisions of this paragraph apply only in the following
2 counties:

- 3 1. Baltimore County;
- 4 2. Cecil County;
- 5 3. Charles County;
- 6 4. Dorchester County;
- 7 5. Harford County;
- 8 6. HOWARD COUNTY;
- 9 [6.] 7. Washington County; and
- 10 [7.] 8. Worcester County.

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

- 13 1. Endorsed with the certificate of the collector of taxes of the
14 county in which the property is assessed, required under subsection (b) of this section;
15 and
- 16 2. Accompanied by:
 - 17 A. A complete intake sheet; and
 - 18 B. A copy of the instrument, and any survey, for submission
19 to the Department of Assessments and Taxation.

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

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit
25 Court for Howard County, the Administrative Office of the Courts, the State
26 Department of Assessments and Taxation, and the collector of taxes for Howard
27 County may formulate the procedures governing recordation of instruments as
28 authorized under this Act, so as to simplify the procedures for recordation of
29 instruments while insuring the integrity of the land and assessment records.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1998.