

HOUSE BILL 128

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1998 Regular Session  
8lr0818

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By: **Howard County Delegation**

Introduced and read first time: January 19, 1998

Assigned to: Economic Matters

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 24, 1998

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CHAPTER \_\_\_\_\_

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

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

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

- 10                                   1.       Baltimore County;
- 11                                   2.       Cecil County;
- 12                                   3.       Charles County;
- 13                                   4.       Dorchester County;
- 14                                   5.       Harford County;
- 15                                   6.       HOWARD COUNTY;
- 16                                   [6.]    7.       Washington County; and
- 17                                   [7.]    8.       Worcester County.

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

- 20                                   1.       Endorsed with the certificate of the collector of taxes of the  
21 county in which the property is assessed, required under subsection (b) of this section;  
22 and
- 23                                   2.       Accompanied by:
  - 24                                   A.       A complete intake sheet; and
  - 25                                   B.       A copy of the instrument, and any survey, for submission  
26 to the Department of Assessments and Taxation.

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

31       SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit  
32 Court for Howard County, the Administrative Office of the Courts, the State  
33 Department of Assessments and Taxation, and the collector of taxes for Howard  
34 County may formulate the procedures governing recordation of instruments as  
35 authorized under this Act, so as to simplify the procedures for recordation of

1 instruments while ~~insuring~~ ensuring the integrity of the land and assessment  
2 records.

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