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By: **St. Mary's County Delegation**  
Introduced and read first time: February 5, 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 **St. Mary's County - Real Property - Recordation**

3 FOR the purpose of adding St. Mary's County to the list of counties in which  
4 recordation by the Clerk of the Circuit Court of instruments affecting property  
5 may be done, under certain circumstances, prior to transfer of the property on  
6 the assessment records; providing for the formulation of certain procedures; and  
7 generally relating to recordation of instruments in St. Mary's 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 1997 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  
18 other instrument which effects a change of ownership on the assessment books under  
19 the Tax - Property Article may not be recorded until the property granted is  
20 transferred on the assessment books or records of the county where the property is  
21 located to the grantee or assignee named in the deed or other instrument. When  
22 submitting the deed or other instrument for transfer on the assessment books, the  
23 person offering the deed or other instrument, on request, shall mail or deliver to the

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

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

- 8 1. Baltimore County;
- 9 2. Cecil County;
- 10 3. Charles County;
- 11 4. Dorchester County;
- 12 5. Harford County;
- 13 6. ST. MARY'S COUNTY;
- 14 [6.] 7. Washington County; and
- 15 [7.] 8. Worcester County.

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

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit  
 30 Court for St. Mary's County, the Administrative Office of the Courts, the State  
 31 Department of Assessments and Taxation, and the collector of taxes for St. Mary's  
 32 County may formulate the procedures governing the recordation of instruments as  
 33 authorized under this Act, so as to simplify the procedures for recordation of  
 34 instruments while ensuring the integrity of the land and assessment records.

1 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect October 1, 1998.