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By: **Delegates V. Mitchell, Hutchins, and Linton**  
Introduced and read first time: February 11, 1998  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Disclosure - Accidental Death**

3 FOR the purpose of specifying that, for purposes relating to disciplinary actions  
4 against licensed real estate brokers and applicants of certain licenses, an  
5 accidental death is not a material fact relating to property for sale or lease;  
6 specifying that an accidental death is not a material fact or latent defect relating  
7 to property for sale or lease by an owner, seller, or agent; and generally relating  
8 to the disclosure of material facts relating to property for sale or lease.

9 BY repealing and reenacting, without amendments,  
10 Article - Business Occupations and Professions  
11 Section 17-322(b)(4)  
12 Annotated Code of Maryland  
13 (1995 Replacement Volume and 1997 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - Business Occupations and Professions  
16 Section 17-322.1(a)  
17 Annotated Code of Maryland  
18 (1995 Replacement Volume and 1997 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Real Property  
21 Section 2-120(a)  
22 Annotated Code of Maryland  
23 (1996 Replacement Volume and 1997 Supplement)

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

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**Article - Business Occupations and Professions**

2 17-322.

3 (b) Subject to the hearing provisions of § 17-324 of this subtitle, the  
4 Commission may deny a license to any applicant, reprimand any licensee, or suspend  
5 or revoke a license if the applicant or licensee:

6 (4) intentionally or negligently fails to disclose to any person with whom  
7 the applicant or licensee deals a material fact that the licensee knows or should know  
8 and that relates to the property with which the licensee or applicant deals;

9 17-322.1.

10 (a) For purposes of § 17-322(b) of this subtitle, it is not a material fact relating  
11 to property offered for sale or lease that:

12 (1) an owner or occupant of the property is, was, or is suspected to be:

13 (i) infected with human immunodeficiency virus; or

14 (ii) diagnosed with acquired immunodeficiency syndrome; or

15 (2) a homicide, suicide, ACCIDENTAL DEATH, natural death, or felony  
16 occurred on the property.

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**Article - Real Property**

18 2-120.

19 (a) Under this title, it is not a material fact or a latent defect relating to  
20 property offered for sale or lease that:

21 (1) An owner or occupant of the property is, was, or is suspected to be:

22 (i) Infected with human immunodeficiency virus; or

23 (ii) Diagnosed with acquired immunodeficiency syndrome; or

24 (2) A homicide, suicide, ACCIDENTAL DEATH, natural death, or felony  
25 occurred on the property.

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