
By: **Delegate Getty**

Introduced and read first time: February 12, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County - Recordation - Assessment Books**

3 FOR the purpose of providing that, in Carroll County, recordation by the Clerk of the
4 Circuit Court of instruments affecting property may be done, under certain
5 circumstances, prior to the transfer of the property on the assessment records;
6 providing for the formulation of certain procedures; and generally relating to
7 recordation in Carroll 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 1998 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
24 person having charge of the assessment books, a statement of any building and
25 improvement on the property granted. When the property is transferred on the
26 assessment books, the person recording the transfer shall evidence the fact of transfer
27 on the deed or other instrument. This endorsement is sufficient to authorize the
28 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. CARROLL COUNTY;
- 5 [2.] 3. Cecil County;
- 6 [3.] 4. Charles County;
- 7 [4.] 5. Dorchester County;
- 8 [5.] 6. Harford County;
- 9 [6.] 7. Howard County;
- 10 [7.] 8. Montgomery County;
- 11 [8.] 9. St. Mary's County;
- 12 [9.] 10. Washington County; and
- 13 [10.] 11. Worcester County.

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

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

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

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

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.