

SENATE BILL 877

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2000 Regular Session
Olr3067
CF HB 1216

By: **Senators Sfikas, Kelley, Conway, and McFadden**
Introduced and read first time: February 28, 2000
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Recordation of Deeds - Assessment Books**

3 FOR the purpose of providing that, in Baltimore City, 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 by certain officials and
7 agencies; and generally relating to recordation of deeds and other instruments
8 in Baltimore City.

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 1999 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 CITY;
- 4 [1.] 2. Baltimore County;
- 5 [2.] 3. Carroll County;
- 6 [3.] 4. Cecil County;
- 7 [4.] 5. Charles County;
- 8 [5.] 6. Dorchester County;
- 9 [6.] 7. Harford County;
- 10 [7.] 8. Howard County;
- 11 [8.] 9. Montgomery County;
- 12 [9.] 10. St. Mary's County;
- 13 [10.] 11. Washington County; and
- 14 [11.] 12. Worcester County.

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

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

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

28 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of Court of the
29 Circuit Court for Baltimore City, the Administrative Office of the Courts, the State
30 Department of Assessments and Taxation, and the local collector of taxes for
31 Baltimore City may formulate the procedures governing recordation of instruments

1 as authorized under this Act, so as to simplify the procedures for recordation of
2 instruments while ensuring the integrity of the land and assessment records.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.