
By: **Senator Dyson**

Introduced and read first time: February 2, 2001

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Sale of Property - Disclosures - Sewage Sludge**

3 FOR the purpose of requiring a property owner, prior to entering into a contract for
4 the sale of property, to provide the buyer with a written disclosure statement
5 disclosing whether or not sewage sludge has been applied to or dumped or stored
6 on the property while the property owner has owned the property; providing
7 that a buyer who does not receive a certain written disclosure statement prior to
8 entering into a contract for the sale of property may cancel the contract without
9 penalty prior to settlement; requiring that a certain disclosure statement be
10 recorded with a certain deed; defining a certain term; providing for the
11 application of this Act; and generally relating to the disclosure of sewage sludge
12 on property.

13 BY adding to
14 Article - Real Property
15 Section 10-703
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2000 Supplement)

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

20 **Article - Real Property**

21 10-703.

22 (A) IN THIS SECTION, "SEWAGE SLUDGE" MEANS ANY THICKENED LIQUID,
23 SUSPENSION, SETTLED SOLID, OR DRIED RESIDUE THAT A SEWAGE TREATMENT
24 PLANT EXTRACTS FROM SEWAGE.

25 (B) PRIOR TO ENTERING INTO A CONTRACT FOR THE SALE OF PROPERTY, A
26 PROPERTY OWNER SHALL PROVIDE TO THE BUYER A WRITTEN DISCLOSURE
27 STATEMENT THAT DISCLOSES WHETHER SEWAGE SLUDGE HAS BEEN APPLIED TO OR
28 DUMPED OR STORED ON THE PROPERTY WHILE THE PROPERTY OWNER HAS OWNED
29 THE PROPERTY.

1 (C) IN ADDITION TO ANY OTHER REMEDIES ALLOWED BY LAW, A BUYER WHO
2 DOES NOT RECEIVE A WRITTEN DISCLOSURE STATEMENT DESCRIBED IN
3 SUBSECTION (B) OF THIS SECTION PRIOR TO ENTERING INTO A CONTRACT FOR THE
4 SALE OF PROPERTY MAY CANCEL THE CONTRACT WITHOUT PENALTY PRIOR TO
5 SETTLEMENT.

6 (D) THE DISCLOSURE STATEMENT DESCRIBED IN SUBSECTION (B) OF THIS
7 SECTION SHALL BE RECORDED WITH THE DEED OF THE SALE OF THE PROPERTY.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
9 construed only prospectively and may not be applied or interpreted to have any effect
10 on or application to any contract for the sale of property entered into before the
11 effective date of this Act.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
13 effect October 1, 2001.