

Department of Legislative Services
Maryland General Assembly
2001 Session

FISCAL NOTE

Senate Bill 526 (Senator Dyson)
Judicial Proceedings

Real Property - Sale of Property - Disclosures - Sewage Sludge

This bill requires a property owner, prior to entering into a contract for the sale of real property, to provide a buyer with a written disclosure of whether or not sewage sludge has been applied to or dumped or stored on the property while the property owner has owned the property. The bill requires that the disclosure statement be recorded with the deed of the sale of the property. In addition to other remedies allowed by law, a buyer who does not receive a written disclosure statement prior to entering into a contract for sale of the property may cancel the contract without penalty prior to settlement.

The bill applies only to contracts entered into on or after the bill's October 1, 2001 effective date.

Fiscal Summary

State Effect: The bill would not materially affect governmental operations or finances.

Local Effect: Minimal.

Small Business Effect: Minimal.

Analysis

Current Law: In St. Mary's and Charles counties, a contract for the sale of agriculturally assessed real property must include a notice that the Department of the Environment is required to maintain permanent records regarding every permit issued for

the use of sewage sludge, including the application of sewage sludge on farm land. Omission of the required notice may not be a basis for invalidation of the contract of sale.

Background: The Department of the Environment administers the State's Sewage Sludge Utilization Program, which regulates the management, transportation, storage, disposal, and land application of sewage sludge. Treated sewage sludge is mixed with soil to create topsoil for land application. Application requires written permission of the landowner.

Additional Information

Prior Introductions: An identical bill, SB 733, was introduced in the 2000 session and received an unfavorable report from the Senate Judicial Proceedings Committee.

Cross File: None.

Information Source(s): Office of the Attorney General, Department of Assessments and Taxation, Department of the Environment, Department of Legislative Services

Fiscal Note History: First Reader – February 9, 2001
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