

SENATE BILL 718

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2003 Regular Session
3lr2402
CF 3lr2436

By: **Senator McFadden**

Introduced and read first time: February 24, 2003

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Real Property - Prerequisites to Recording - Exemptions**

3 FOR the purpose of providing that certain provisions of law regarding prerequisites to
4 transferring certain property on the assessment books or records do not apply in
5 Baltimore City under certain circumstances; and generally relating to
6 prerequisites to transferring property on the assessment books or records in
7 Baltimore City.

8 BY repealing and reenacting, without amendments,
9 Article - Real Property
10 Section 3-104(b)
11 Annotated Code of Maryland
12 (1996 Replacement Volume and 2002 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - Real Property
15 Section 3-104(c)(3)
16 Annotated Code of Maryland
17 (1996 Replacement Volume and 2002 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 3-104.

22 (b) (1) Except as provided in subsection (c) of this section, property may not
23 be transferred on the assessment books or records until:

24 (i) All public taxes, assessments, and charges due on the property
25 have been paid to the treasurer, tax collector, or director of finance of the county in
26 which the property is assessed; and

1 (ii) All taxes on personal property in the county due by the
2 transferor have been paid when all land owned by him in the county is being
3 transferred.

4 (2) The certificate of the collecting agent designated by law, showing that
5 all taxes, assessments, and charges have been paid, shall be endorsed on the deed,
6 and the endorsement shall be sufficient authority for transfer on the assessment
7 books.

8 (3) Except as provided in subsection (c) of this section, in Cecil, Charles,
9 Dorchester, Harford, Howard, Kent, Queen Anne's, Somerset, and St. Mary's counties
10 no property may be transferred on the assessment books or records until (1) all public
11 taxes, assessments, any charges due a municipal corporation, and charges due on the
12 property have been paid as required by law, and (2) all taxes on personal property in
13 the county due by the transferor have been paid when all land owned by him in the
14 county and municipal corporation is being transferred. The certificate of the collecting
15 agent and municipal corporation designated by law showing that all taxes,
16 assessments, and charges have been paid, shall be endorsed on the deed and the
17 endorsement shall be sufficient authority for transfer on the assessment books.

18 (c) (3) Subsection (b) of this section does not apply in BALTIMORE CITY AND
19 Anne Arundel, Baltimore, Carroll, Frederick, or Washington counties to any deed
20 transferring property to the county when the controller or treasurer of the county has
21 certified that the conveyance does not impair the security for any public taxes,
22 assessments, and charges due on the remaining property of the grantor.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2003.