
By: **Prince George's County Delegation**
Introduced and read first time: February 4, 2004
Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Real Property - Recordation of Instruments**
3 **Effecting a Change of Ownership**
4 **PG 350-04**

5 FOR the purpose of authorizing the Clerk of the Circuit Court in Prince George's
6 County to record an instrument that effects a change of ownership of property
7 before the Supervisor of Assessments transfers the ownership of the property on
8 the assessment records under certain circumstances; requiring the Supervisor of
9 Assessments to transfer the ownership of property on the assessment records in
10 Prince George's County under certain circumstances; authorizing certain
11 persons to formulate procedures governing recordation of certain instruments in
12 Prince George's County; and generally relating to the recordation of instruments
13 effecting a change of ownership of property in Prince George's County.

14 BY repealing and reenacting, with amendments,
15 Article - Real Property
16 Section 3-104(a)
17 Annotated Code of Maryland
18 (2003 Replacement Volume and 2003 Supplement)

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

21 **Article - Real Property**

22 3-104.

23 (a) (1) Except as provided in paragraph (2) of this subsection, a deed or
24 other instrument which effects a change of ownership on the assessment books under
25 the Tax - Property Article may not be recorded until the property granted is
26 transferred on the assessment books or records of the county where the property is
27 located to the grantee or assignee named in the deed or other instrument. When
28 submitting the deed or other instrument for transfer on the assessment books, the
29 person offering the deed or other instrument, on request, shall mail or deliver to the

1 person having charge of the assessment books, a statement of any building and
 2 improvement on the property granted. When the property is transferred on the
 3 assessment books, the person recording the transfer shall evidence the fact of transfer
 4 on the deed or other instrument. This endorsement is sufficient to authorize the
 5 recording of the deed or other instrument by the clerk of the appropriate court.

6 (2) (i) The provisions of this paragraph apply only in the following
 7 counties:

- 8 1. Baltimore County;
- 9 2. Carroll County;
- 10 3. Cecil County;
- 11 4. Charles County;
- 12 5. Dorchester County;
- 13 6. Harford County;
- 14 7. Howard County;
- 15 8. Montgomery County;
- 16 9. PRINCE GEORGE'S COUNTY;
- 17 10. St. Mary's County;
- 18 [10.] 11. Washington County; and
- 19 [11.] 12. Worcester County.

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

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That the Clerk of the Circuit
2 Court for Prince George's County, the Administrative Office of the Courts, the State
3 Department of Assessments and Taxation, and the collector of taxes for Prince
4 George's County may formulate the procedures governing recordation of instruments
5 as authorized under this Act, so as to simplify the procedures for recordation of
6 instruments while ensuring the integrity of the land and assessment records.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2004.