

(PRE-FILED)

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By: **Senator Dyson**  
 Requested: November 10, 2004  
 Introduced and read first time: January 12, 2005  
 Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Real Property Sales - Notice Requirements - Military Aircraft Flight**  
 3                                   **Operations**

4 FOR the purpose of requiring a contract for the sale of real property to contain a  
 5 certain statement notifying the buyer that the property may be impacted by  
 6 certain noises as a result of certain military aircraft flight operations and  
 7 certain military operations; providing for the construction of this Act; and  
 8 generally relating to notice requirements for the sale of real property.

9 BY adding to  
 10 Article - Real Property  
 11 Section 14-117(k)  
 12 Annotated Code of Maryland  
 13 (2003 Replacement Volume and 2004 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 14-117.

18 (K) (1) A CONTRACT FOR THE SALE OF REAL PROPERTY SHALL CONTAIN  
 19 THE FOLLOWING STATEMENT:

20 "THE PROPERTY MAY BE LOCATED IN OR NEAR MILITARY AIRCRAFT OPERATION  
 21 CENTERS LOCATED IN CALVERT, CHARLES, PRINCE GEORGE'S, OR ST. MARY'S  
 22 COUNTIES, OR IN OR NEAR THE FLIGHT PATHS OF MILITARY AIRCRAFT CONDUCTING  
 23 FLIGHT OPERATIONS. PROPERTIES LOCATED IN OR NEAR MILITARY AIRCRAFT  
 24 OPERATION CENTERS OR IN OR NEAR THE FLIGHT PATHS OF MILITARY AIRCRAFT  
 25 CONDUCTING FLIGHT OPERATIONS MAY BE IMPACTED BY VARYING DEGREES OF  
 26 NOISE LEVELS AND POTENTIAL MILITARY AIRCRAFT ACCIDENTS, AS WELL AS NOISE  
 27 FROM GUNFIRE OR EXPLOSIVE TESTING. MILITARY AIRCRAFT FLIGHT OPERATIONS

1 AND MILITARY OPERATIONS THAT MAY IMPACT THE PROPERTY INCLUDE, BUT ARE  
2 NOT LIMITED TO, THE FOLLOWING:

3 (A) THE NAVAL AIR STATION LOCATED IN PATUXENT RIVER, MARYLAND,  
4 TYPICALLY CONDUCTS FLIGHT OPERATIONS 7 DAYS A WEEK, BETWEEN 8 A.M. AND 11  
5 P.M. HOWEVER, INFREQUENT FLIGHT OPERATIONS OCCUR OUTSIDE THESE TIMES.  
6 THE EFFECTS FROM THE NAVY'S FLIGHT OPERATIONS EXTEND BEYOND THE  
7 BOUNDARIES OF THE NAVAL FACILITY. THE PRESENT LEVEL AND TYPE OF  
8 OPERATIONS WILL CONTINUE FOR THE FORESEEABLE FUTURE. FOR ADDITIONAL  
9 INFORMATION, CONTACT THE NAS PATUXENT RIVER PUBLIC AFFAIRS OFFICE;

10 (B) THE NAVAL SURFACE WARFARE CENTER - DAHLGREN DIVISION, LOCATED  
11 IN DAHLGREN, VIRGINIA, TYPICALLY CONDUCTS OPERATIONS 5 DAYS A WEEK,  
12 BETWEEN 8 A.M. AND 4 P.M. HOWEVER, INFREQUENT OPERATIONS OCCUR OUTSIDE  
13 THESE TIMES. THE PRESENT LEVEL AND TYPE OF OPERATIONS WILL CONTINUE FOR  
14 THE FORESEEABLE FUTURE. FOR ADDITIONAL INFORMATION, CONTACT THE NAVAL  
15 SURFACE WARFARE CENTER, DAHLGREN DIVISION, PUBLIC AFFAIRS OFFICE;

16 (C) THE NAVAL SURFACE WARFARE CENTER - INDIAN HEAD DIVISION (IHDIV)  
17 AND THE NAVAL EXPLOSIVE ORDNANCE DISPOSAL TECHNOLOGY DIVISION  
18 (NAVEODTECHDIV), LOCATED IN INDIAN HEAD, MARYLAND, TYPICALLY CONDUCT  
19 EXPLOSIVE TESTING, EVALUATION, AND TRAINING OPERATIONS 5 TO 7 DAYS A  
20 WEEK, BETWEEN 7 A.M. AND 4 P.M. HOWEVER, INFREQUENT OPERATIONS OCCUR  
21 OUTSIDE THESE TIMES. SOUND FROM THE TRAINING AND TESTING MAY RESULT IN  
22 SPORADIC NOISE FROM HELICOPTERS, TRAFFIC, CONSTRUCTION, AND INDUSTRIAL  
23 OPERATIONS, AND EXTEND BEYOND THE BOUNDARIES OF THE FACILITY. THE IHDIV  
24 GODDARD POWER PLANT OPERATES 24 HOURS A DAY AND STEAM RELEASES CAN  
25 SOMETIMES BE HEARD OUTSIDE THE FACILITY. THE PRESENT LEVEL AND TYPE OF  
26 OPERATIONS WILL CONTINUE FOR THE FORESEEABLE FUTURE. FOR ADDITIONAL  
27 INFORMATION, CONTACT THE IHDIV OR NAVEODTECHDIV PUBLIC AFFAIRS OFFICE;  
28 AND

29 (D) ANDREWS AIR FORCE BASE TYPICALLY CONDUCTS FLIGHT OPERATIONS 7  
30 DAYS A WEEK, 24 HOURS A DAY. THE EFFECTS FROM AIR FORCE, ARMY, AND CIVILIAN  
31 FLIGHT OPERATIONS EXTEND BEYOND THE BOUNDARIES OF THE FACILITY. THE  
32 PRESENT LEVEL AND TYPE OF OPERATIONS WILL CONTINUE AND MAY INCREASE  
33 FOR THE FORESEEABLE FUTURE. FOR ADDITIONAL INFORMATION, CONTACT THE  
34 ANDREWS AIR FORCE BASE PUBLIC AFFAIRS OFFICE."

35 (2) ALL LOCAL LAWS REQUIRING A STATEMENT OF NOTICE  
36 SUBSTANTIALLY SIMILAR TO PARAGRAPH (1) OF THIS SUBSECTION PREVAIL OVER  
37 THE REQUIREMENTS OF THIS SUBSECTION.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 October 1, 2005.