

HB0401/534637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 401
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “alarms;” insert “requiring that a certain disclosure form include certain information about a carbon monoxide alarm under certain circumstances;”; and in line 13, strike “providing for the application of this Act;”.

On page 2, after line 2, insert:

“BY repealing and reenacting, without amendments,
Article – Real Property
Section 10–702(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 10–702(e)(2)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On page 3, in line 20, strike “**OR**” and substitute “**AND**”; and strike line 21 in its entirety and substitute:

“(2) IS A NEWLY CONSTRUCTED DWELLING FOR WHICH A BUILDING PERMIT IS ISSUED ON OR AFTER JANUARY 1, 2008.”.

(Over)

AMENDMENT NO. 3

On page 5, after line 13, insert:

“Article – Real Property

10–702.

(c) (1) A vendor of single family residential real property shall complete and deliver to each purchaser:

(i) A written residential property condition disclosure statement on a form provided by the State Real Estate Commission; or

(ii) A written residential property disclaimer statement on a form provided by the State Real Estate Commission.

(2) The State Real Estate Commission shall develop by regulation a single standardized form that includes the residential property condition disclosure and disclaimer statements required by this subsection.

(e) (2) The disclosure form shall include a list of defects, including latent defects, or information of which the vendor has actual knowledge in relation to the following:

(i) Water and sewer systems, including the source of household water, water treatment systems, and sprinkler systems;

(ii) Insulation;

(iii) Structural systems, including the roof, walls, floors, foundation, and any basement;

(iv) Plumbing, electrical, heating, and air conditioning systems;

(v) Infestation of wood–destroying insects;

(vi) Land use matters;

(vii) Hazardous or regulated materials, including asbestos, lead-based paint, radon, underground storage tanks, and licensed landfills;

(viii) Any other material defects of which the vendor has actual knowledge; [and]

(ix) Whether the smoke detectors will provide an alarm in the event of a power outage; AND

(X) IF THE PROPERTY RELIES ON THE COMBUSTION OF A FOSSIL FUEL FOR HEAT, VENTILATION, HOT WATER, OR CLOTHES DRYER OPERATION, WHETHER A CARBON MONOXIDE ALARM IS INSTALLED ON THE PROPERTY.”;

strike in their entirety lines 14 through 17, inclusive; and in line 18, strike “3.” and substitute “2.”.