

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 535

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “within a certain distance from” and substitute “in a central location outside of”; strike beginning with “establishing” in line 8 down through “alarms;” in line 9; in line 12, after “alarms;” insert “requiring that a certain disclosure form include certain information about a carbon monoxide alarm under certain circumstances;”; and after line 19, 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 2, strike beginning with “**CERTIFIED**” in line 9 down through “**DEVICES**” in line 15 and substitute “**LISTED AND CARRIES THE LISTING OF A NATIONALLY RECOGNIZED TESTING LABORATORY APPROVED BY THE OFFICE OF THE STATE FIRE MARSHAL**”; in line 16, strike “**(5)**” and substitute “**(4)**”; strike beginning with “**BATTERY-POWERED**” in line 16 down through “**OR**” in line 17; in line 19, after “**(C)**” insert “**(1) “DWELLING” MEANS A BUILDING OR PART OF A**

(Over)

**BUILDING THAT PROVIDES LIVING OR SLEEPING FACILITIES FOR ONE OR MORE INDIVIDUALS.**

**(2) “DWELLING” INCLUDES A ONE OR TWO FAMILY DWELLING, MULTIFAMILY DWELLING, HOTEL, MOTEL, OR DORMITORY.**

**(D)**”;

strike beginning with the colon in line 19 down through “**BATTERY-POWERED,**” in line 20; in line 21, strike “**THE MOST RECENT STANDARDS OF**” and substitute “**:**”

**(1)**”;

in line 22, strike “**RELATED TO**” and substitute “**(NFPA) 720 STANDARD FOR**”; and in line 23, after the semicolon insert “**AND**”.

On pages 2 and 3, strike beginning with “**TO**” in line 24 on page 2 down through “**SERVICE**” in line 2 on page 3 and substitute “**THE MANUFACTURER’S RECOMMENDATIONS**”.

On page 3, in line 4, strike “**SINGLE-FAMILY OR MULTIFAMILY**”; in line 7, strike the first “**OR**”; in the same line, after “**WATER**” insert “**, OR CLOTHES DRYER OPERATION**”; in the same line, strike the second “**OR**” and substitute “**AND**”; strike line 8 in its entirety and substitute:

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

in line 11, strike “**DETECTOR**” and substitute “**ALARM**”; in the same line, after “**IF**” insert “**THE COMBINED DEVICE COMPLIES WITH**”; in line 12, strike “**THE**”

COMBINED DEVICE COMPLIES WITH”; in the same line, strike “AND” and substitute “;

(2)”;

strike in their entirety lines 14 through 16, inclusive, and substitute:

“(3) UNDERWRITERS LABORATORIES (UL) STANDARDS 217 AND 2034.”;

strike beginning with “WITHIN” in line 18 down through “FEET” in line 19 and substitute “IN A CENTRAL LOCATION OUTSIDE”; and strike beginning with the colon in line 19 down through “MULTIFAMILY” in line 21.

On pages 3 and 4, strike in their entirety the lines beginning with line 22 on page 3 through line 14 on page 4, inclusive.

On page 4, in line 15, strike “(C)” and substitute “(B)”; in the same line, strike “SUBSECTIONS” and substitute “SUBSECTION”; in the same line, strike “AND (B)”; in line 18, strike “MULTIFAMILY”; after line 26, 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

(Over)

(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.”