

HOUSE BILL 154

C1, N1
HB 1166/07 – ECM

8lr1485

By: **Delegate Feldman**

Introduced and read first time: January 18, 2008

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted

Read second time: February 13, 2008

CHAPTER _____

1 AN ACT concerning

2 **Real Estate Investment Trusts – Definition and Share Information**

3 FOR the purpose of altering the definition of “real estate investment trust” to clarify
4 that the term means an unincorporated “business” trust or association formed
5 under certain provisions of law; establishing that a real estate investment trust,
6 on request of the shareholder, shall send a written statement containing certain
7 information for shares issued without certificates without charge; and generally
8 relating to real estate investment trust law.

9 BY repealing and reenacting, with amendments,
10 Article – Corporations and Associations
11 Section 8–101 and 8–203(f)
12 Annotated Code of Maryland
13 (2007 Replacement Volume)

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

16 **Article – Corporations and Associations**

17 8–101.

18 (a) In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) "Real estate investment trust" means an unincorporated **BUSINESS** trust
 2 or association formed under this title in which property is acquired, held, managed,
 3 administered, controlled, invested, or disposed of for the benefit and profit of any
 4 person who may become a shareholder.

5 (c) "Share" means a transferable unit of beneficial interest in a real estate
 6 investment trust.

7 8-203.

8 (f) Unless the declaration of trust provides otherwise, the trustees of a real
 9 estate investment trust may authorize the issue of some or all of the shares of any or
 10 all of its classes or series without certificates. The authorization does not affect shares
 11 already represented by certificates until they are surrendered to the real estate
 12 investment trust. [At the time of issuance or transfer of shares without certificates,]
 13 **FOR SHARES ISSUED WITHOUT CERTIFICATES, ON REQUEST OF THE**
 14 **SHAREHOLDER,** the real estate investment trust shall send **WITHOUT CHARGE TO**
 15 the shareholder a written statement of the information required on certificates by
 16 subsection (d) or (e) of this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 18 June 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.