

HB1331/508670/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1331
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “provide, on written request,” and substitute “display or make available”; in line 5, after the semicolon insert “requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score;”; and strike beginning with “establishing” in line 9 down through “date;” in line 12 and substitute “providing that the failure of a seller to provide certain information to the purchaser does not give the purchaser the right to rescind a contract of sale based on the failure of the seller to comply with this Act;”.

AMENDMENT NO. 2

On page 2, in line 13, after “UNITS” insert “**IF THE OWNER OF THE PROPERTY HAS OWNED AND RESIDED AT THE PROPERTY FOR AT LEAST 12 MONTHS BEFORE THE PROPERTY IS FIRST MARKETED FOR SALE BY THE OWNER**”.

AMENDMENT NO. 3

On pages 3 and 4, strike in their entirety the lines beginning with line 8 on page 3 down through line 19 on page 4 and substitute:

“(B) (1) AS PROVIDED IN THIS SUBSECTION, A VENDOR OF SINGLE FAMILY RESIDENTIAL REAL PROPERTY SHALL DISPLAY OR MAKE AVAILABLE TO PROSPECTIVE PURCHASERS AT THE LOCATION OF THE RESIDENTIAL REAL PROPERTY COPIES OF ELECTRIC, GAS, AND HOME HEATING OIL BILLS, OR A DOCUMENT DETAILING THE MONTHLY ELECTRIC, GAS, AND HOME HEATING OIL USAGE OF THE RESIDENTIAL PROPERTY, FOR THE 12-MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETED FOR SALE.

(Over)

(2) THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE:

(i) DISPLAYED OR MADE AVAILABLE DURING ANY SCHEDULED PERIOD OF TIME WHEN THE RESIDENTIAL PROPERTY IS HELD OPEN FOR PUBLIC VIEWING OR FOR VIEWING BY AN INDIVIDUAL PROSPECTIVE PURCHASER; AND

(ii) INCLUDED IN OR WITH ANY DOCUMENTS THAT INCLUDE DESCRIPTIONS OF THE RESIDENTIAL PROPERTY AND ARE MADE AVAILABLE TO A PROSPECTIVE PURCHASER AT THE LOCATION OF THE RESIDENTIAL PROPERTY.

(3) IN ADDITION TO THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, A VENDOR MAY PROVIDE TO PROSPECTIVE PURCHASERS A HOME ENERGY RATING (HERS INDEX), A U.S. DEPARTMENT OF ENERGY HOME ENERGY SCORE, OR EQUIVALENT SCORE OBTAINED DURING THE 12-MONTH PERIOD BEFORE THE PROPERTY WAS FIRST MARKETED FOR SALE.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO LIMIT THE VENDOR FROM MAKING UTILITY INFORMATION AVAILABLE TO PROSPECTIVE PURCHASERS IN A SALE LISTING ON THE MULTIPLE LISTING SERVICE.

(5) ANY INFORMATION PROVIDED UNDER THIS SUBSECTION IS PROVIDED WITHOUT WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING AS TO THE ACCURACY, COMPLETENESS, OR SUITABILITY OF THE INFORMATION.

(C) THE FAILURE OF A SELLER TO PROVIDE A PURCHASER WITH THE INFORMATION LISTED UNDER SUBSECTION (B) OF THIS SECTION DOES NOT GIVE

THE PURCHASER THE RIGHT TO RESCIND A CONTRACT OF SALE BASED ON THE FAILURE OF THE SELLER TO COMPLY WITH THIS SECTION.;

and in lines 20 and 24, strike "3." and "4.", respectively, and substitute "2." and "3.", respectively.