

HB1373/700815/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 1373
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “authorizing the Department to impose a certain civil penalty for a certain violation of this Act;”; in line 7, after “Registry;” insert “establishing that certain fees are nonrefundable; authorizing a local government that takes certain actions related to a residential property on the Registry to charge the cost associated with the action as part of the residential property’s property tax assessment;”; in line 12, after “State;” insert “repealing a certain provision of law authorizing a county or municipal corporation to enact a certain local law relating to notice of a foreclosure on residential property; establishing that only the State may enact a certain law; requiring the Department to report certain information to the General Assembly on or before a certain date;”; and after line 13, insert:

“BY repealing

Article - Real Property

Section 14-126(c)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“14-126.

[(c) (1) In this subsection, “residential property” has the meaning stated in § 7-105.1 of this article.

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(2) A county or municipal corporation may enact a local law requiring that notice be given to a county or municipal agency or official when an order to docket or a complaint to foreclose a mortgage or deed of trust is filed on residential property located within the county or municipal corporation.

(3) A local law enacted under this subsection shall require that within five days after filing an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property, the person authorized to make the sale shall give notice of the filing to the county or municipal agency or official designated by the local law.

(4) The notice required under paragraph (3) of this subsection shall include:

(i) The street address of the residential property subject to the foreclosure action;

(ii) The names and addresses, if known, of all owners of the residential property subject to the foreclosure action; and

(iii) The name, address, and telephone number of the person authorized to make the sale.】”.

On page 6, after line 8, insert:

“(J) ONLY THE STATE MAY ENACT A LAW REQUIRING A NOTICE TO BE FILED WITH A UNIT OF GOVERNMENT RELATING TO RESIDENTIAL PROPERTIES THAT ARE SUBJECT TO FORECLOSURE.”.

AMENDMENT NO. 3

On page 3, in line 11, after “**THE**” insert “**STREET**”; strike in its entirety line 14; in lines 15, 17, and 20, strike “**5.**”, “**6.**”, and “**7.**”, respectively, and substitute “**4.**”, “**5.**”, and “**6.**”, respectively; and in line 24, after “**AND**” insert “**STREET**”.

On page 4, after line 21, insert:

“(3) A FILING FEE PAID UNDER PARAGRAPH (1) OF THIS SUBSECTION IS NONREFUNDABLE.”;

in line 22, strike “**(3)**” and substitute “**(4)**”; in the same line, strike “**A LOCAL JURISDICTION**” and substitute “**THE DEPARTMENT**”; in lines 22 and 23, strike “**ENACT A LOCAL LAW THAT IMPOSES A FINE FOR VIOLATING THIS SECTION**” and substitute “**IMPOSE A CIVIL PENALTY FOR FAILURE TO REGISTER UNDER THIS SECTION**”.

On page 5, in line 2, after “**JURISDICTIONS**” insert “**, THEIR AGENCIES, AND REPRESENTATIVES**”; in line 5, after “**DEPARTMENT**” insert “**OR A LOCAL JURISDICTION**”; and in the same line, strike “**LIMITED CONTACT**”.

AMENDMENT NO. 4

On page 2, in line 18, strike “**(H)**” and substitute “**(I)**”; and in line 29, after “**SALE**” insert “**OF RESIDENTIAL PROPERTY**”.

On page 3, in line 3, after “**SALE**” insert “**OF RESIDENTIAL PROPERTY**”.

On page 4, strike beginning with “**OR**” in line 2 down through “**FORECLOSURE**” in line 3; after line 24, insert:

“(F) A LOCAL GOVERNMENT THAT, IN ACCORDANCE WITH ANY APPLICABLE BUILDING CODE OR LOCAL ORDINANCE, ABATES A NUISANCE ON A

(Over)

RESIDENTIAL PROPERTY REGISTERED UNDER THIS SECTION OR TAKES ACTION TO MAINTAIN A RESIDENTIAL PROPERTY REGISTERED UNDER THIS SECTION MAY CHARGE THE COST ASSOCIATED WITH THE ABATEMENT OR OTHER ACTION AS PART OF THE RESIDENTIAL PROPERTY'S PROPERTY TAX ASSESSMENT.”;

and in line 25, strike “(F)” and substitute “(G)”.

On page 5, in lines 12 and 14, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively; and in line 27, strike “(G)” and substitute “(H)”.

AMENDMENT NO. 5

On page 6, after line 15, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2012, the Department of Labor, Licensing, and Regulation shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on the status of the Foreclosed Property Registry and the Foreclosed Property Registry Fund established under this Act, including the number of properties registered, the cost of maintaining the Foreclosed Property Registry, the Fund balance, whether the registration fees need to be altered to reflect the costs of maintaining the Foreclosed Property Registry, and the Department’s assessment of the effectiveness of the Registry.”;

and in line 16, strike “2.” and substitute “3.”.