

SENATE BILL 83

C2

2lr0387

By: **Senator Zirkin**

Introduced and read first time: January 16, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Real Estate Brokers – Contract Provisions – Payment of Legal Fees**

3 FOR the purpose of authorizing a certain real estate contract to contain a provision for
4 the payment of legal fees by the losing party in a certain legal action only if the
5 provision is equally applicable to both parties to the contract; and generally
6 relating to provisions for the payment of legal fees in real estate contracts.

7 BY adding to

8 Article – Business Occupations and Professions

9 Section 17–524.1

10 Annotated Code of Maryland

11 (2010 Replacement Volume and 2011 Supplement)

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

14 **Article – Business Occupations and Professions**

15 **17–524.1.**

16 **A REAL ESTATE CONTRACT SUBMITTED TO A PARTY BY A REAL ESTATE**
17 **BROKER, AN ASSOCIATE REAL ESTATE BROKER, OR A REAL ESTATE**
18 **SALESPERSON MAY CONTAIN A PROVISION FOR THE PAYMENT OF LEGAL FEES**
19 **BY THE LOSING PARTY IN A LEGAL ACTION INVOLVING THE PARTIES TO THE**
20 **CONTRACT ONLY IF THE PROVISION IS EQUALLY APPLICABLE TO BOTH PARTIES**
21 **TO THE CONTRACT.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2012.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

