

HOUSE BILL 1403

D3, N1

4lr3049

By: **Delegates Norman, Niemann, Beidle, Fraser-Hidalgo, Gilchrist, Healey, Hogan, McMillan, and Stein**

Introduced and read first time: February 13, 2014

Assigned to: Rules and Executive Nominations

Re-referred to: Judiciary, February 26, 2014

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2014

CHAPTER _____

1 AN ACT concerning

2 **Homestead Exemption – Bankruptcy – Interest in Manufactured Home**

3 FOR the purpose of altering certain provisions of law concerning an exemption for a
4 certain amount in an individual's interest in owner-occupied, residential real
5 property in a certain bankruptcy proceeding to include an interest in a certain
6 manufactured home; providing for the application of this Act; and generally
7 relating to debtor exemptions in bankruptcy proceedings.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 11-504(f)(1)
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2013 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 11-504.

17 (f) (1) (i) In addition to the exemptions provided in subsection (b) of
18 this section, and in other statutes of this State, in any proceeding under Title 11 of the

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 United States Code, entitled “Bankruptcy”, any individual debtor domiciled in this
2 State may exempt the debtor’s aggregate interest in:

3 1. Personal property, up to \$5,000; and

4 2. Subject to subparagraph (ii) of this paragraph:

5 A. Owner-occupied residential real property, including a
6 condominium unit **OR A MANUFACTURED HOME THAT HAS BEEN CONVERTED TO**
7 **REAL PROPERTY IN ACCORDANCE WITH § 8B-201 OF THE REAL PROPERTY**
8 **ARTICLE**; or

9 B. A cooperative housing corporation that owns property
10 that the debtor occupies as a residence.

11 (ii) The exemption allowed under subparagraph (i)2 of this
12 paragraph may not exceed the amount under 11 U.S.C. § 522(d)(1), adjusted in
13 accordance with 11 U.S.C. § 104, subject to the provisions of paragraphs (2) and (3) of
14 this subsection.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
16 construed to apply only prospectively and may not be applied or interpreted to have
17 any effect on or application to any case filed before the effective date of this Act.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2014.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.