

SENATE BILL 781

N1

1lr2558
CF HB 1095

By: **Senator Hayes**

Introduced and read first time: February 5, 2021

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Residential Contract of Sale – Buyer Identification**

3 FOR the purpose of authorizing a buyer who executes a residential contract of sale for a
4 single family residential real property with a real estate broker to make a certain
5 election; requiring a buyer who makes a certain election to sign and initial a
6 residential contract of sale in a certain manner; requiring a buyer who makes a
7 certain election to identify the buyer’s real estate broker in the residential contract
8 of sale and to execute a separate document with the buyer’s real estate broker;
9 providing for the interpretation of this Act; providing for the application of this Act;
10 and generally relating to residential contracts of sale.

11 BY adding to
12 Article – Real Property
13 Section 10–711
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2020 Supplement)

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

18 **Article – Real Property**

19 **10–711.**

20 **(A) THIS SECTION APPLIES ONLY TO A RESIDENTIAL CONTRACT OF SALE**
21 **FOR A SINGLE FAMILY RESIDENTIAL REAL PROPERTY THAT A BUYER EXECUTES**
22 **WITH THE SERVICES OF A REAL ESTATE BROKER.**

23 **(B) (1) AT THE ELECTION OF A BUYER, THE BUYER MAY BE IDENTIFIED**
24 **AS “CLIENT A” IN A RESIDENTIAL CONTRACT OF SALE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) A BUYER WHO ELECTS TO BE IDENTIFIED AS “CLIENT A” IN A**
2 **RESIDENTIAL CONTRACT OF SALE SHALL SIGN AND INITIAL THE RESIDENTIAL**
3 **CONTRACT OF SALE AS “CLIENT A”.**

4 **(3) IF MORE THAN ONE BUYER IN THE SAME RESIDENTIAL CONTRACT**
5 **OF SALE MAKES THE ELECTION UNDER PARAGRAPH (1) OF THIS SUBSECTION, EACH**
6 **BUYER SHALL USE A DIFFERENT IDENTIFYING LETTER.**

7 **(C) A BUYER WHO MAKES THE ELECTION UNDER SUBSECTION (B) OF THIS**
8 **SECTION SHALL:**

9 **(1) IDENTIFY THE BUYER’S REAL ESTATE BROKER IN THE**
10 **RESIDENTIAL CONTRACT OF SALE; AND**

11 **(2) EXECUTE, WITH THE BUYER’S REAL ESTATE BROKER, A SEPARATE**
12 **DOCUMENT THAT IDENTIFIES THE BUYER.**

13 **(D) NOTHING IN THIS SECTION MAY BE INTERPRETED TO AFFECT**
14 **REQUIREMENTS REGARDING THE IDENTIFICATION OF A BUYER IN A DEED OR OTHER**
15 **INSTRUMENT OFFERED FOR RECORDATION IN THE LAND RECORDS UNDER TITLE 3**
16 **OF THIS ARTICLE.**

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

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2021.