SENATE BILL 781

By: Senator Hayes
Introduced and read first time: February 5, 2021
Assigned to: Judicial Proceedings

A BILL ENTITLED

AN ACT concerning

Real Property – Residential Contract of Sale – Buyer Identification

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

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

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

Article – Real Property

10–711.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
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(2) A buyer who elects to be identified as “Client A” in a residential contract of sale shall sign and initial the residential contract of sale as “Client A”.

(3) If more than one buyer in the same residential contract of sale makes the election under paragraph (1) of this subsection, each buyer shall use a different identifying letter.

(C) A buyer who makes the election under subsection (B) of this section shall:

(1) Identify the buyer’s real estate broker in the residential contract of sale; and

(2) Execute, with the buyer’s real estate broker, a separate document that identifies the buyer.

(D) Nothing in this section may be interpreted to affect requirements regarding the identification of a buyer in a deed or other instrument offered for recordation in the land records under Title 3 of this article.

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

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