

# HOUSE BILL 390

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2lr1477  
CF 2lr2980

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By: **Delegate Solomon**

Introduced and read first time: January 19, 2022

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Corporations and Associations – Use or Maintenance of Improper or Outdated**  
3 **Addresses in Documents**

4 FOR the purpose of prohibiting the use or maintenance of an improper or outdated address  
5 in documents filed for inclusion in records of the State Department of Assessments  
6 and Taxation; authorizing a person listed as an owner of real property in the  
7 Department’s records to file an affidavit with the Department stating that the  
8 property’s address on record with the Department is being used or maintained in  
9 violation of this Act; establishing certain procedures and remedies for adjudicating  
10 and resolving disputes concerning the use or maintenance of certain addresses; and  
11 generally relating to businesses and the filing of documents with the State  
12 Department of Assessments and Taxation.

13 BY adding to  
14 Article – Corporations and Associations  
15 Section 1–201.2  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2021 Supplement)

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

20 **Article – Corporations and Associations**

21 **1–201.2.**

22 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
23 INDICATED.

24 (2) “ADDRESS” MEANS AN ADDRESS APPEARING ON A GOVERNING

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 DOCUMENT, CHARTER, OR OTHER DOCUMENT FILED FOR INCLUSION IN THE  
2 DEPARTMENT'S RECORDS.

3 (3) "OWNER" MEANS ANY PERSON LISTED AS AN OWNER OF REAL  
4 PROPERTY IN THE DEPARTMENT'S RECORDS.

5 (B) A PERSON MAY NOT USE OR MAINTAIN AN IMPROPER OR OUTDATED:

6 (1) PRINCIPAL OFFICE ADDRESS;

7 (2) RESIDENT AGENT ADDRESS; OR

8 (3) MAILING ADDRESS.

9 (C) (1) AN OWNER WHO BELIEVES THAT THE OWNER'S ADDRESS IS BEING  
10 USED OR MAINTAINED IN VIOLATION OF SUBSECTION (B) OF THIS SECTION MAY  
11 SUBMIT TO THE DEPARTMENT AN AFFIDAVIT STATING THE FACTUAL BASIS FOR  
12 THAT BELIEF.

13 (2) ON RECEIPT OF AN AFFIDAVIT UNDER PARAGRAPH (1) OF THIS  
14 SUBSECTION, THE DEPARTMENT SHALL SEND TO THE PERSON USING OR  
15 MAINTAINING THE DISPUTED ADDRESS A NOTICE THAT:

16 (I) INCLUDES ANY ADDRESS IN QUESTION;

17 (II) INDICATES ANY DEPARTMENT IDENTIFICATION NUMBER  
18 ASSOCIATED WITH THE PERSON;

19 (III) STATES THE PROHIBITION UNDER SUBSECTION (B) OF THIS  
20 SECTION;

21 (IV) STATES THAT THE DEPARTMENT HAS REASON TO BELIEVE  
22 THAT THE ADDRESS IS BEING USED IMPROPERLY OR IN AN OUTDATED MANNER AND  
23 DESCRIBES THE FACTUAL BASIS FOR THAT BELIEF; AND

24 (V) ADVISES THAT THE ADDRESS MAY BE STRICKEN FROM THE  
25 DEPARTMENT'S RECORDS UNLESS, WITHIN 45 DAYS AFTER THE NOTICE WAS SENT  
26 BY THE DEPARTMENT, THE PERSON SUBMITS TO THE DEPARTMENT AN AFFIDAVIT  
27 THAT:

28 1. STATES THE PERSON'S BELIEF THAT THE ADDRESS  
29 DOES NOT VIOLATE SUBSECTION (B) OF THIS SECTION; AND



1           **(2) THE DEPARTMENT MAY NOT BE JOINED AS A PARTY TO A**  
2 **PROCEEDING UNDER THIS SUBSECTION.**

3           **(3) IF THE COURT DETERMINES THAT THE ADDRESS IS BEING USED IN**  
4 **VIOLATION OF THIS SECTION:**

5                   **(I) THE COURT SHALL ORDER THAT THE ADDRESS BE VOIDED;**  
6 **AND**

7                   **(II) THE PREVAILING PARTY SHALL PROVIDE A COPY OF THE**  
8 **ORDER TO THE DEPARTMENT.**

9           **(4) ON RECEIPT OF A COURT ORDER REQUIRING THE VOIDING OF AN**  
10 **ADDRESS, THE DEPARTMENT SHALL:**

11                   **(I) VOID THE ADDRESS; AND**

12                   **(II) FILE A RECORD INDICATING THAT THE ADDRESS WAS**  
13 **VOIDED IN ACCORDANCE WITH A COURT ORDER.**

14           **(5) THE COURT MAY AWARD TO THE PREVAILING PARTY IN A**  
15 **PROCEEDING UNDER THIS SUBSECTION:**

16                   **(I) DAMAGES SUSTAINED BY THE PREVAILING PARTY; AND**

17                   **(II) REASONABLE ATTORNEY'S FEES AND COSTS.**

18           **(G) THE DEPARTMENT MAY NOT:**

19                   **(1) CHARGE A FEE TO CARRY OUT ITS OBLIGATIONS UNDER THIS**  
20 **SECTION, INCLUDING FOR THE SENDING OF ANY NOTICES REQUIRED UNDER THIS**  
21 **SECTION; OR**

22                   **(2) REFUND ANY FEE PAID FOR RECORDING A DOCUMENT OR ENTITY**  
23 **VOIDED UNDER THIS SECTION.**

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2022.