

# SENATE BILL 513

N1, L1, L3

5lr1904

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By: **Senator Henson**

Introduced and read first time: January 23, 2025

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Unlawfully Restrictive Covenant Modifications – County or**  
3 **Municipality Notice Requirements**

4 FOR the purpose of altering certain notice requirements relating to the recordation of a  
5 restrictive covenant modification to an unlawfully restrictive covenant by a county  
6 or municipality; and generally relating to unlawfully restrictive covenants.

7 BY repealing and reenacting, without amendments,  
8 Article – Real Property  
9 Section 3–112(a)  
10 Annotated Code of Maryland  
11 (2023 Replacement Volume and 2024 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article – Real Property  
14 Section 3–112(c)  
15 Annotated Code of Maryland  
16 (2023 Replacement Volume and 2024 Supplement)

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

19 **Article – Real Property**

20 3–112.

21 (a) In this section, “unlawfully restrictive covenant” means any recorded covenant  
22 or restriction that restricts ownership based on race, religious belief, or national origin.

23 (c) (1) A person may execute and record a restrictive covenant modification to  
24 an unlawfully restrictive covenant in accordance with this section if the person:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) Holds an ownership interest in property that the person believes  
2 is subject to the unlawfully restrictive covenant; or

3 (ii) Is a nonprofit entity that is required to enforce within a defined  
4 residential neighborhood:

5 1. Covenants that limit architectural alterations,  
6 renovations, landscaping elements, or other modifications to residential lots in the  
7 neighborhood; and

8 2. The unlawfully restrictive covenant.

9 (2) (i) Subject to subparagraph (ii) of this paragraph, a county or  
10 municipality may execute and record a restrictive covenant modification to an unlawfully  
11 restrictive covenant in accordance with this section if:

12 1. The property that the county or municipality believes is  
13 subject to an unlawfully restrictive covenant is within the boundaries of the county or  
14 municipality; and

15 2. At least 30 days before executing and recording the  
16 restrictive covenant modification, the county or municipality provides written notice in  
17 accordance with subparagraph (iii) of this paragraph of the county's or municipality's intent  
18 to execute and record the restrictive covenant modification to all persons with an ownership  
19 interest in the property.

20 (ii) A person with an ownership interest in the property may decline  
21 to have the restrictive covenant modification executed and recorded by the county or  
22 municipality by notifying the county or municipality within 30 days after the date of notice.

23 (iii) Notice under subparagraph (i)2 of this paragraph shall:

24 1. **A.** Be sent by first-class mail; [and]

25 **B. BE PUBLISHED ONCE PER WEEK FOR 4 SUCCESSIVE**  
26 **WEEKS IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN THE COUNTY**  
27 **OR MUNICIPALITY WHERE THE PROPERTY IS LOCATED;**

28 **C. BE POSTED ON THE DOOR OF THE COURTHOUSE OR**  
29 **ON A BULLETIN BOARD IN THE IMMEDIATE VICINITY OF THE DOOR OF THE**  
30 **COURTHOUSE OF THE COUNTY OR MUNICIPALITY WHERE THE PROPERTY IS**  
31 **LOCATED; OR**

32 **D. BE POSTED ON THE OFFICIAL WEBSITE OF THE**  
33 **COUNTY OR MUNICIPALITY WHERE THE PROPERTY IS LOCATED; AND**

