

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 513

(Senator Henson)

Judicial Proceedings

Real Property - Unlawfully Restrictive Covenant Modifications - County or Municipality Notice Requirements

This bill alters a statutory provision in regard to the notice that a local government must provide when it intends to execute and record a restrictive covenant modification to an unlawfully restrictive covenant. Specifically, the bill expands permissible methods to provide the required notice to include notice that is (1) published once per week for four successive weeks in one or more newspapers of general circulation in the county or municipality where the property is located; (2) posted on the door of the courthouse or on a bulletin board in the immediate vicinity of the door of the courthouse of the county or municipality where the property is located; or (3) posted on the official website of the county or municipality where the property is located.

Fiscal Summary

State Effect: The bill does not materially affect State government finances or operations.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law: Generally, an unlawfully restrictive covenant is any recorded covenant or restriction that restricts ownership based on race, religious belief, or national origin.

A county or municipality may execute and record a restrictive covenant modification to an unlawfully restrictive covenant if the subject property is within the boundaries of the county or municipality and specific notice requirements are satisfied. In addition to other requirements, the notice must (1) be sent by first-class mail and (2) provide information on how a person with an ownership interest in the property may decline to have the restrictive covenant modification executed and recorded by the county or municipality.

A person with an ownership interest in the property may decline to have the modification executed and recorded by notifying the county or municipality within 30 days after the date of the required notice.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Association of Counties; Judiciary (Administrative Office of the Courts); Department of Legislative Services

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