

HOUSE BILL 200

N1, M3

6lr1080

(PRE-FILED)

By: **Delegates Lehman, Behler, Guyton, Patterson, Pasteur, Pena-Melnyk, Ruth, Stinnett, and Terrasa**

Requested: October 3, 2025

Introduced and read first time: January 14, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Sale of Residential Real Property – Required Flood Risk Disclosure**

3 FOR the purpose of requiring the Department of the Environment to develop, publish, and
4 maintain a real property flood risk disclosure statement form that includes certain
5 information about a property's flood risk and history; requiring, beginning on a
6 certain date, a vendor of residential real property to provide the purchaser with a
7 completed real property flood risk disclosure statement form before entering into a
8 contract for the sale of the property; and generally relating to flood risk disclosures
9 and the sale of residential real property.

10 BY adding to

11 Article – Environment

12 Section 5–810

13 Annotated Code of Maryland

14 (2013 Replacement Volume and 2025 Supplement)

15 BY adding to

16 Article – Real Property

17 Section 10–716

18 Annotated Code of Maryland

19 (2023 Replacement Volume and 2025 Supplement)

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

22 **Article – Environment**

23 **5–810.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

(2) "FEMA ELEVATION CERTIFICATE" MEANS THE CERTIFICATE ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY THAT CERTIFIES OFFICIAL ELEVATION AND BUILDING DATA FOR A PROPERTY LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA IN ORDER TO INFORM FLOOD INSURANCE PREMIUMS.

(3) "MODERATE-RISK FLOOD HAZARD AREA" MEANS AN AREA THAT IS:

(I) IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS HAVING A 0.2% CHANCE OF ANNUAL FLOODING; AND

(II) COMMONLY KNOWN AS THE 500-YEAR FLOODPLAIN.

(4) "SPECIAL FLOOD HAZARD AREA" MEANS AN AREA THAT IS:

(I) IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS HAVING A 1% CHANCE OF ANNUAL FLOODING; AND

(II) COMMONLY KNOWN AS THE 100-YEAR FLOODPLAIN.

(B) (1) THE DEPARTMENT SHALL DEVELOP, PUBLISH, AND MAINTAIN A REAL PROPERTY FLOOD RISK DISCLOSURE STATEMENT FORM FOR USE IN CONNECTION WITH A SALE OF RESIDENTIAL REAL PROPERTY AS PROVIDED IN § 10-716 OF THE REAL PROPERTY ARTICLE.

(2) THE FLOOD RISK DISCLOSURE STATEMENT FORM SHALL, AT MINIMUM, INCLUDE THE FOLLOWING INFORMATION:

(I) WHETHER THE PROPERTY IS LOCATED WHOLLY OR PARTLY WITHIN A SPECIAL FLOOD HAZARD AREA;

(II) WHETHER THE PROPERTY IS LOCATED WHOLLY OR PARTLY WITHIN A MODERATE-RISK FLOOD HAZARD AREA;

(III) WHETHER THE PROPERTY IS SUBJECT TO A REQUIREMENT UNDER FEDERAL LAW THAT REQUIRES THE OWNER TO OBTAIN AND MAINTAIN FLOOD INSURANCE;

(IV) WHETHER THE VENDOR HAS KNOWLEDGE OF ANY PAST OCCURRENCE WHERE AN OWNER RECEIVED AID FOR FLOOD DAMAGE ON THE PROPERTY FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE U.S. SMALL BUSINESS ADMINISTRATION, OR OTHER FEDERAL DISASTER ASSISTANCE PROGRAM;

(V) WHETHER THE VENDOR CURRENTLY HAS FLOOD INSURANCE FOR THE PROPERTY;

(VI) WHETHER THERE IS A FEMA ELEVATION CERTIFICATE AVAILABLE FOR THE PROPERTY;

(VII) WHETHER THE VENDOR HAS KNOWLEDGE OF ANY CLAIMS FILED FOR FLOOD DAMAGE TO THE PROPERTY, INCLUDING WITH THE NATIONAL FLOOD INSURANCE PROGRAM; AND

(VIII) WHETHER THE VENDOR HAS KNOWLEDGE THAT THE PROPERTY EXPERIENCES, OR HAS EXPERIENCED, ANY FLOOD DAMAGE, WATER SEEPAGE, OR POOLED WATER DUE TO A NATURAL FLOODING EVENT, INCLUDING FLOODING CAUSED BY HEAVY RAINFALL, A COASTAL STORM SURGE, TIDAL INUNDATION, OR RIVER OVERFLOWS.

Article – Real Property

10-716.

(A) IN THIS SECTION, “FEMA ELEVATION CERTIFICATE” HAS THE MEANING STATED IN § 5-810 OF THE ENVIRONMENT ARTICLE.

(B) BEGINNING JULY 1, 2027, BEFORE ENTERING INTO A CONTRACT OF SALE, A VENDOR OF RESIDENTIAL REAL PROPERTY SHALL PROVIDE TO THE PURCHASER:

(1) A COMPLETED FLOOD RISK DISCLOSURE STATEMENT FORM DEVELOPED AND PUBLISHED BY THE DEPARTMENT OF THE ENVIRONMENT UNDER § 5-810 OF THE ENVIRONMENT ARTICLE; AND

(2) IF APPLICABLE:

(i) A COPY OF THE FEMA ELEVATION CERTIFICATE FOR THE PROPERTY;

1 **(II) AN ACCOUNTING OF ANY MONEY RECEIVED FROM CLAIMS**
2 **FILED FOR FLOOD DAMAGE TO THE PROPERTY; AND**

3 **(III) THE NUMBER OF TIMES FLOODING EVENTS HAVE**
4 **OCCURRED ON THE PROPERTY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before June 1, 2027,
6 the Department of the Environment shall publish the flood risk disclosure statement form
7 required under § 5–810 of the Environment Article, as enacted by Section 1 of this Act.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2026.