

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 23, 2026

CHAPTER _____

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 certain residential real property to provide the purchaser
7 with a completed real property flood risk disclosure statement form before entering
8 into a contract for the sale of the property; and generally relating to flood risk
9 disclosures 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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Environment**

4 **5–810.**

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

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

11 (3) “MODERATE–RISK FLOOD HAZARD AREA” MEANS AN AREA THAT
12 IS:

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

15 (II) COMMONLY KNOWN AS THE 500–YEAR FLOODPLAIN.

16 (4) “SPECIAL FLOOD HAZARD AREA” MEANS AN AREA THAT IS:

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

19 (II) COMMONLY KNOWN AS THE 100–YEAR FLOODPLAIN.

20 (B) (1) THE DEPARTMENT SHALL DEVELOP, PUBLISH, AND MAINTAIN A
21 REAL PROPERTY FLOOD RISK DISCLOSURE STATEMENT FORM FOR USE IN
22 CONNECTION WITH A SALE OF RESIDENTIAL REAL PROPERTY AS PROVIDED IN §
23 10–716 OF THE REAL PROPERTY ARTICLE.

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

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

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

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

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

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

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

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

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

21 Article – Real Property

22 10–716.

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

25 (B) (1) THIS SECTION APPLIES ONLY TO RESIDENTIAL REAL PROPERTY
26 IMPROVED BY FOUR OR FEWER SINGLE FAMILY UNITS.

27 (2) THIS SECTION DOES NOT APPLY TO:

28 (i) THE INITIAL SALE OF A SINGLE FAMILY RESIDENCE THAT:

29 1. HAS NEVER BEEN OCCUPIED; OR

1 **2. A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED**
 2 **FOR WITHIN 1 YEAR BEFORE THE DATE ON WHICH THE VENDOR AND PURCHASER**
 3 **ENTER INTO A CONTRACT OF SALE;**

4 **(II) A TRANSFER OF PROPERTY THAT IS EXEMPT FROM THE**
 5 **TRANSFER TAX UNDER § 13-207 OF THE TAX – PROPERTY ARTICLE, EXCEPT:**

6 **1. A LAND INSTALLMENT CONTRACT OF SALE; OR**

7 **2. AN OPTION TO PURCHASE REAL PROPERTY;**

8 **(III) A SALE BY A LENDER, OR AN AFFILIATE OF A LENDER, THAT**
 9 **ACQUIRED THE REAL PROPERTY BY FORECLOSURE OR DEED IN LIEU OF**
 10 **FORECLOSURE;**

11 **(IV) A SHERIFF’S SALE, TAX SALE, OR SALE BY FORECLOSURE,**
 12 **PARTITION, OR COURT-APPOINTED TRUSTEE;**

13 **(V) A TRANSFER BY A FIDUCIARY IN THE COURSE OF**
 14 **ADMINISTERING A DECEDENT’S ESTATE, GUARDIANSHIP, CONSERVATORSHIP, OR**
 15 **TRUST;**

16 **(VI) A TRANSFER OF A SINGLE FAMILY RESIDENTIAL REAL**
 17 **PROPERTY THAT THE BUYER WILL CONVERT INTO A USE OTHER THAN RESIDENTIAL;**
 18 **OR**

19 **(VII) A SALE OF UNIMPROVED REAL PROPERTY.**

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

23 **(1) A COMPLETED FLOOD RISK DISCLOSURE STATEMENT FORM**
 24 **DEVELOPED AND PUBLISHED BY THE DEPARTMENT OF THE ENVIRONMENT UNDER**
 25 **§ 5-810 OF THE ENVIRONMENT ARTICLE; AND**

26 **(2) IF ~~APPLICABLE;~~**

27 **~~(H)~~ ~~A~~ AVAILABLE, A COPY OF THE FEMA ELEVATION**
 28 **CERTIFICATE FOR THE PROPERTY;**

29 **~~(H) AN ACCOUNTING OF ANY MONEY RECEIVED FROM CLAIMS~~**
 30 **~~FILED FOR FLOOD DAMAGE TO THE PROPERTY; AND~~**

1 ~~(H) THE NUMBER OF TIMES FLOODING EVENTS HAVE~~
2 ~~OCCURRED ON THE PROPERTY.~~

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.