

UNOFFICIAL COPY OF HOUSE BILL 281

HOUSE BILL 281

N1

3lr2535
CF 3lr1395

By: **Delegate Fair**

Introduced and read first time: January 25, 2023

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 ~~Residential Property Sales Contracts Disclosures~~ Frederick County - Residential
3 Property Sales - Contract Disclosures

4 FOR the purpose of requiring in Frederick County, a contract for the sale of residential real property
5 located

6 within a certain distance of a ~~site listed on the Superfund Enterprise Management~~
7 ~~System~~ National Priorities List (NPL) Superfund site to contain a certain notice include a
8 certain addendum; establishing that a contract for the sale of
9 ~~residential real property may not be voided under certain circumstances;~~ and
10 generally relating to disclosure requirements for a contract for the sale of residential
11 real property.

12 BY adding to

13 Article - Real Property

14 Section 10-713

15 Annotated Code of Maryland

16 (2015 Replacement Volume and 2022 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 **10-713.**

21 ~~(A) A CONTRACT OF SALE FOR RESIDENTIAL REAL PROPERTY LOCATED~~
22 ~~WITHIN 0.5 MILES OF A SITE LISTED ON THE SUPERFUND ENTERPRISE~~
23 ~~MANAGEMENT SYSTEM SHALL INCLUDE A NOTICE SIGNED BY THE HOMEOWNER~~
24 ~~DISCLOSING THE PROXIMITY OF THE PROPERTY TO A SITE LISTED ON THE~~
25 ~~SUPERFUND ENTERPRISE MANAGEMENT SYSTEM, TO BE INITIALED BY THE BUYER.~~

26 ~~(B) A CONTRACT SUBJECT TO THE REQUIREMENTS OF SUBSECTION (A) OF~~
27 ~~THIS SECTION MAY NOT BE VOIDED SOLELY BECAUSE:~~

2

UNOFFICIAL COPY OF HOUSE BILL 281

1 ~~(1) THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION~~
2 ~~IS NOT INCLUDED IN THE CONTRACT; OR~~

3 ~~(2) THE BUYER DOES NOT INITIAL THE NOTICE REQUIRED UNDER~~
4 ~~SUBSECTION (A) OF THIS SECTION. THIS SECTION APPLIES ONLY IN FREDERICK COUNTY.~~

(B) THE SELLER OF RESIDENTIAL PROPERTY THAT IS LOCATED WITHIN 0.5 MILES OF A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE SHALL PROVIDE THE BUYER WITH AN ADDENDUM TO THE CONTRACT FOR THE SALE OF THE PROPERTY THAT CONTAINS, IN CONSPICUOUS TYPE:

(1) IDENTIFICATION OF THE SUPERFUND SITE AND ITS PROXIMITY TO THE PROPERTY;

(2) THE DEFINITION OF A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE UNDER U.S. ENVIRONMENTAL PROTECTION AGENCY GUIDELINES; AND

(3) THE UNIFORM RESOURCE LOCATOR (URL) FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY SEARCH FOR SUPERFUND SITES WHERE YOU LIVE WEBSITE.

(C) AN ADDENDUM UNDER SUBSECTION (B) OF THIS SECTION SHALL BE SIGNED BY THE SELLER AND INITIALED BY THE BUYER.

(D) IF A BUYER ENTERS INTO A PURCHASE OR CONSTRUCTION CONTRACT THAT DOES NOT INCLUDE AN ADDENDUM REQUIRED UNDER SUBSECTION (B) OF THIS SECTION, THE BUYER:

(1) MAY VOID THE CONTRACT; AND

(2) ON RESCISSION OF THE CONTRACT, SHALL BE ENTITLED TO A REFUND OF ANY MONEY PAID TO THE SELLER OR BUILDER.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2023.