

HOUSE BILL 826

C2

01r0582

By: **Howard County Delegation**

Introduced and read first time: February 3, 2020

Assigned to: Economic Matters and Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Residential Property and New Home Construction**
3 **Advertisements – School District Information**

4 **Ho. Co. 02–20**

5 FOR the purpose of providing for the purpose of certain provisions of law; requiring a
6 certain real estate broker, associate real estate broker, or real estate salesperson
7 who includes in an advertisement for the sale or rental of a residential property in
8 Howard County the name of the school or school district in which the residential
9 property is located to include a certain notice stating that school boundaries are not
10 guaranteed and may change at any time; providing that certain provisions of law do
11 not prohibit a certain real estate broker, associate real estate broker, or real estate
12 salesperson from including the name of a certain school district in a certain written
13 communication; requiring the State Real Estate Commission to enforce certain
14 provisions of law; requiring a certain registered home builder or a registered home
15 builder sales representative who includes in an advertisement for the sale or rental
16 of a residential property in Howard County the name of the school or school district
17 in which the residential property is located to include a certain notice stating that
18 school boundaries are not guaranteed and may change at any time; providing that
19 certain provisions of law do not prohibit including the name of a certain school
20 district in a certain written communication; requiring the Home Builder and Home
21 Builder Sales Representative Registration Unit to enforce certain provisions of law;
22 defining a certain term; and generally relating to school district information in
23 advertisements for residential property and new homes in Howard County.

24 BY adding to

25 Article – Business Occupations and Professions

26 Section 17–526.1

27 Annotated Code of Maryland

28 (2018 Replacement Volume and 2019 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Business Regulation
3 Section 4.5–606
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2019 Supplement)

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

8 **Article – Business Occupations and Professions**

9 **17–526.1.**

10 (A) THE PURPOSE OF THIS SECTION IS TO PROHIBIT CERTAIN
11 DISCRIMINATORY REAL ESTATE PRACTICES WITH RESPECT TO HOUSING IN
12 HOWARD COUNTY TO:

13 (1) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES FOR
14 ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR, RELIGION, SEX, MARITAL
15 STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701 OF THE STATE
16 GOVERNMENT ARTICLE, DISABILITY;

17 (2) PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING
18 OPPORTUNITIES FOR ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR,
19 RELIGION, SEX, MARITAL STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701
20 OF THE STATE GOVERNMENT ARTICLE, DISABILITY;

21 (3) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES AND
22 PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING OPPORTUNITIES FOR THOSE
23 INDIVIDUALS WHO ARE AT LEAST 62 YEARS OLD; AND

24 (4) PROTECT AND ENSURE THE PEACE, HEALTH, SAFETY,
25 PROSPERITY, AND GENERAL WELFARE OF ALL RESIDENTS OF HOWARD COUNTY.

26 (B) IN THIS SECTION, “ADVERTISEMENT” HAS THE MEANING STATED IN §
27 17–527.2 OF THIS SUBTITLE.

28 (C) THIS SECTION APPLIES ONLY TO RESIDENTIAL PROPERTY IN HOWARD
29 COUNTY.

30 (D) (1) A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL
31 ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON WHO INCLUDES IN AN
32 ADVERTISEMENT FOR THE SALE OR RENTAL OF A RESIDENTIAL PROPERTY IN
33 HOWARD COUNTY THE NAME OF THE SCHOOL OR SCHOOL DISTRICT IN WHICH THE

1 RESIDENTIAL PROPERTY IS LOCATED SHALL INCLUDE A NOTICE IN CONSPICUOUS
2 TYPE STATING THAT SCHOOL BOUNDARIES ARE NOT GUARANTEED AND MAY
3 CHANGE AT ANY TIME.

4 (2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO
5 NOT PROHIBIT A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL
6 ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON FROM INCLUDING THE
7 NAME OF A SCHOOL DISTRICT IN A WRITTEN COMMUNICATION WITH A FACTUAL
8 DESCRIPTION OF THE FEATURES OF THE RESIDENTIAL PROPERTY AND THE
9 COMMUNITY IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED.

10 (E) THE COMMISSION SHALL ENFORCE THE PROVISIONS OF THIS SECTION
11 AND, FOR THIS PURPOSE, MAY RECEIVE COMPLAINTS, CONDUCT INVESTIGATIONS,
12 ISSUE SUBPOENAS, AND HOLD HEARINGS.

13 Article – Business Regulation

14 4.5–606.

15 (A) THE PURPOSE OF THIS SECTION IS TO PROHIBIT CERTAIN
16 DISCRIMINATORY REAL ESTATE PRACTICES WITH RESPECT TO HOUSING IN
17 HOWARD COUNTY TO:

18 (1) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES FOR
19 ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR, RELIGION, SEX, MARITAL
20 STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701 OF THE STATE
21 GOVERNMENT ARTICLE, DISABILITY;

22 (2) PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING
23 OPPORTUNITIES FOR ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR,
24 RELIGION, SEX, MARITAL STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701
25 OF THE STATE GOVERNMENT ARTICLE, DISABILITY;

26 (3) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES AND
27 PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING OPPORTUNITIES FOR THOSE
28 INDIVIDUALS WHO ARE AT LEAST 62 YEARS OLD; AND

29 (4) PROTECT AND ENSURE THE PEACE, HEALTH, SAFETY,
30 PROSPERITY, AND GENERAL WELFARE OF ALL RESIDENTS OF HOWARD COUNTY.

31 (B) THIS SECTION APPLIES ONLY TO NEW HOME CONSTRUCTION IN
32 HOWARD COUNTY.

1 **(C) (1) A REGISTRANT OR A REGISTERED SALES REPRESENTATIVE WHO**
2 **INCLUDES IN AN ADVERTISEMENT FOR THE CONSTRUCTION OF A NEW HOME IN**
3 **HOWARD COUNTY THE NAME OF THE SCHOOL OR SCHOOL DISTRICT IN WHICH THE**
4 **NEW HOME IS LOCATED SHALL INCLUDE A NOTICE IN CONSPICUOUS TYPE STATING**
5 **THAT SCHOOL BOUNDARIES ARE NOT GUARANTEED AND MAY CHANGE AT ANY TIME.**

6 **(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO**
7 **NOT PROHIBIT A REGISTRANT OR REGISTERED SALES REPRESENTATIVE FROM**
8 **INCLUDING THE NAME OF A SCHOOL DISTRICT IN A WRITTEN COMMUNICATION WITH**
9 **A FACTUAL DESCRIPTION OF THE FEATURES OF THE NEW HOME AND THE**
10 **COMMUNITY IN WHICH THE NEW HOME WILL BE LOCATED.**

11 **(D) THE UNIT SHALL ENFORCE THE PROVISIONS OF THIS SECTION AND, FOR**
12 **THIS PURPOSE, MAY RECEIVE COMPLAINTS, CONDUCT INVESTIGATIONS, ISSUE**
13 **SUBPOENAS, AND HOLD HEARINGS.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2020.