

# SENATE BILL 485

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3lr1395  
CF HB 281

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By: **Senator Lewis Young**

Introduced and read first time: February 3, 2023

Assigned to: Judicial Proceedings

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

4 FOR the purpose of requiring, in Frederick County, a contract for the sale of residential  
5 real property located within a certain distance of a National Priorities List (NPL)  
6 Superfund site to ~~contain a certain notice~~ include a certain addendum; and generally  
7 relating to disclosure requirements for a contract for the sale of residential real  
8 property.

9 BY adding to  
10 Article – Real Property  
11 Section 10–713  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2022 Supplement)

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

16 **Article – Real Property**

17 **10–713.**

18 (A) ~~FOR RESIDENTIAL PROPERTY LOCATED WITHIN 0.5 MILES OF A~~  
19 ~~NATIONAL PRIORITIES SUPERFUND SITE, AT THE TIME OF DOWN PAYMENT, A~~

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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.



~~CONTRACT FOR SALE SHALL INCLUDE NOTICE OF THE PROXIMITY OF THE PROPERTY TO THE SUPERFUND SITE~~ **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.**

~~(B)~~ **(C) NOTICE AN ADDENDUM UNDER SUBSECTION (A) (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.**

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.