

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 150

(Senator Watson)

Judicial Proceedings

Environment and Transportation

Real Property - Recordation and Land Records - Requirements

This bill generally alters various statutory provisions related to the filing, maintenance, and transmittal of land records. Among other provisions, the bill (1) alters certain formatting requirements; (2) authorizes the acceptance of documents received through an electronic recordation system; (3) prohibits a clerk from being held liable for failing to accept documents that do not meet certain requirements, as specified; (4) authorizes court clerks to assess additional fees for the recordation of subdivision plats if required by local law; (5) repeals certain requirements and references related to bound books and microfilm; and (6) makes numerous stylistic and technical changes.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations.

Local Effect: The bill is not anticipated to materially affect local government finances or operations.

Small Business Effect: Minimal.

Analysis

Current Law:

Recording Requirements – Generally

Clerks of the circuit courts are responsible for the recording of land records. Generally, property may not be transferred on the assessment books or records until (1) all public

taxes, assessments, and charges currently due and owed on the property have been paid to the treasurer, tax collector, or director of finance of the county in which the property is assessed and (2) all taxes on personal property in the county due by the transferor have been paid when all land owned by the transferor in the county is being transferred.

Any printed deed or other instrument submitted for recordation must satisfy specific formatting requirements before being recorded.

Maryland Uniform Real Property Electronic Recording Act

Generally, the Maryland Uniform Real Property Electronic Recording Act – Title 3, Subtitle 7 of the Real Property Article – establishes that requirements for documents to be signed as a condition for recording are met by an electronic document or electronic signature under specific circumstances. The Act also authorizes the clerks of the circuit courts and the State Department of Assessments and Taxation to coordinate with appropriate entities on procedures and processes to facilitate the electronic satisfaction of prior approvals and conditions precedent to recording documents or the electronic payment of fees or taxes.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See SB 163 of 2023.

Designated Cross File: HB 347 (Delegates Holmes and Terrasa) - Environment and Transportation.

Information Source(s): Baltimore City; Calvert and Prince George’s counties; Maryland Association of Counties; Judiciary (Administrative Office of the Courts); State Department of Assessments and Taxation; Department of Legislative Services

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