

SEC. 11-402. JUDGMENT CONSTITUTES LIEN.

(A) DEFINITION.

LAND MEANS REAL PROPERTY OR ANY INTEREST IN OR APPURTENANT TO REAL PROPERTY.

[[(A)]] (B) JUDGMENT OF COURT OF ORIGINAL ENTRY.

IF INDEXED AND RECORDED AS PRESCRIBED BY THE MARYLAND RULES OR THE MARYLAND DISTRICT RULES, A JUDGMENT OF A COURT CONSTITUTES A LIEN TO THE AMOUNT AND FROM THE DATE OF THE JUDGMENT ON THE JUDGMENT DEBTOR'S INTEREST IN LAND LOCATED IN THE COUNTY IN WHICH THE JUDGMENT WAS RENDERED EXCEPT A LEASE FROM YEAR TO YEAR OR FOR A TERM OF NOT MORE THAN FIVE YEARS AND NOT RENEWABLE.

[[(B)]] (C) JUDGMENT OF ANOTHER COURT.

IF INDEXED AND RECORDED AS PRESCRIBED BY THE MARYLAND RULES OR THE MARYLAND DISTRICT RULES, A JUDGMENT CONSTITUTES A LIEN ON THE JUDGMENT DEBTOR'S INTEREST IN LAND LOCATED IN A COUNTY OTHER THAN THE COUNTY IN WHICH THE JUDGMENT WAS ORIGINALLY ENTERED, EXCEPT A LEASE FROM YEAR TO YEAR OR FOR A TERM NOT MORE THAN FIVE YEARS AND NOT RENEWABLE.

REVISOR'S NOTE: The provisions of this section are new language derived from Art. 17, §§ 18, 19, and 21, Art. 26, § 20, and Art. 26, § 150 (b), as amended by Ch. 67, S.B. 432, Acts of 1973.

Subsection (a) is added to clarify the meaning of the word 'land'. This is consistent with Art. 21, §1-101.

An exception, as to leases from year to year and leases for terms of not more than five years and not renewable, applies to the United States District Court judgment liens as well. Although Art. 17, §§ 18 and 19 are silent on that subject, it is believed that this creates no conflict since 28 USCA, 1962 provides, inter alia, that "every judgment rendered by a district court within a state shall be a lien on the property located in such state in the same manner, to the same extent and under the same conditions as a judgment of a court of general jurisdiction