

CHAPTER 697

(House Bill 1415)

AN ACT concerning

Deeds - Straw Deed Situation

FOR the purpose of including a straw deed situation, after abolition of straw deeds, in certain exceptions to the transfer tax; and correcting language.

BY repealing and reenacting, with amendments,

Article - Real Property
Section 3-104(c)
Annotated Code of Maryland
(1974 Volume and 1977 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Real Property

3-104.

(c) (1) Exception for grants by mortgagees, trustees in bankruptcy, receivers. The requirements for prepayment of personal property taxes in subsection (b) do not apply to grants of land made by or on behalf of any of the following: any mortgagee, lien creditor, trustee of a deed of trust, judgment creditor, trustee in bankruptcy or receiver, and any other court-appointed officer in an insolvency or liquidation proceeding.

(2) Exception for straw deeds in certain counties. The provisions of subsection (b) do not apply in Charles, Dorchester, Kent, Prince George's, Worcester, Carroll, Montgomery, and Frederick counties to any deed executed as a mere conduit or for convenience in holding and passing title, known popularly as a straw deed OR, AS PROVIDED IN §4-108, A DEED MAKING A DIRECT GRANT IN LIEU OF A STRAW DEED, or to a deed which is a supplementary instrument merely confirming, correcting, or modifying a previously recorded deed, if there is no actual consideration paid or to be paid for the execution of the supplementary instrument.

(3) Exception for certain deeds in Anne Arundel County. [The provisions of subsection (3) do] SUBSECTION (B) DOES not apply in Anne Arundel County to any deed transferring property to the county whereon the controller of the county has certified that the conveyance does not impair the security for any public taxes, assessments, and charges due on the remaining property of the grantor.