

Approved May 29, 1979.

CHAPTER 585

(House Bill 803)

AN ACT concerning

Recordation and Transfer Taxes

FOR the purpose of eliminating payment of recordation and transfer taxes on certain transactions to the extent that the consideration for the transaction consists of an express or implied assumption of a mortgage or deed of trust; eliminating payment of recordation and transfer taxes on certain transactions connected with separation agreements; correcting an error; and clarifying language.

BY repealing and reenacting, with amendments,

Article 81 - Revenue and Taxes  
Section 277 (b) and 278A  
Annotated Code of Maryland  
(1975 Replacement Volume and 1978 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 BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows: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 81 - Revenue and Taxes

277.

(b) (1) In the case of instruments conveying title to property, the tax shall be at the rate of [55¢] 55 CENTS for each [\$500.00] \$500 or fractional part thereof of the actual consideration paid or to be paid; in the case of instruments securing a debt, the tax shall be at the rate of [55¢] 55 CENTS for each [\$500.00] \$500 of the principal amount of the debt secured.

~~(2) IN A TRANSFER BETWEEN JOINT OBLIGOR SPOUSES OR FORMER SPOUSES OF PROPERTY SUBJECT TO A MORTGAGE, THE AMOUNT OF CONSIDERATION DOES NOT INCLUDE THE VALUE OF THE OUTSTANDING MORTGAGE EXPRESSLY OR IMPLIEDLY ASSUMED BY THE GRANTEE. IF THE CONSIDERATION FOR A TRANSFER OF PROPERTY PURSUANT TO A SEPARATION AGREEMENT BETWEEN SPOUSES OR FORMER SPOUSES CONSISTS OF A BENEFIT OTHER THAN MONEY OR EVIDENCE OF INDEBTEDNESS, THE TAX DOES NOT APPLY.~~