

an owner or occupant of property is, was, or is suspected to be infected with a certain virus, diagnosed with a certain disease, or that certain acts occurred on the property; and generally relating to the disclosure of material facts relating to property for sale or lease.

BY adding to

Article - Business Occupations and Professions
Section 16-322.1
Annotated Code of Maryland
(1989 Volume and 1990 Supplement)

BY adding to

Article - Real Property
Section 2-120
Annotated Code of Maryland
(1988 Replacement Volume and 1990 Supplement)

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

Article - Business Occupations and Professions

16-322.1.

(A) FOR PURPOSES OF § 16-322(A) OF THIS SUBTITLE, IT IS NOT A MATERIAL FACT RELATING TO PROPERTY OFFERED FOR SALE OR LEASE THAT:

(1) AN OWNER OR OCCUPANT OF THE PROPERTY IS, WAS, OR IS SUSPECTED TO BE:

(I) INFECTED WITH HUMAN IMMUNODEFICIENCY VIRUS;
OR

(II) DIAGNOSED WITH ACQUIRED IMMUNODEFICIENCY SYNDROME; OR

(2) A HOMICIDE, SUICIDE, NATURAL DEATH, OR FELONY OCCURRED ON THE PROPERTY.

(B) (1) IT IS NOT GROUNDS FOR A DISCIPLINARY ACTION AGAINST A LICENSEE UNDER THIS SUBTITLE, THAT A LICENSEE DID NOT DISCLOSE TO A PROSPECTIVE PURCHASER OR LESSEE, A FACT CONTAINED IN SUBSECTION (A) OF THIS SECTION.

(2) A LICENSEE MAY NOT BE HELD PERSONALLY LIABLE FOR FAILURE TO DISCLOSE A FACT CONTAINED IN SUBSECTION (A) OF THIS SECTION.