

Chapter 351

(House Bill 486)

AN ACT concerning

Residential Property Sales – Contract Disclosures – Superfund Sites

FOR the purpose of requiring the seller of residential real property located within a certain distance of a National Priorities List (NPL) Superfund site to include a certain addendum to the contract for the sale of the property; and generally relating to disclosure requirements for a contract for the sale of residential real property.

BY adding to

Article – Real Property

Section 10–714

Annotated Code of Maryland

(2023 Replacement Volume)

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

Article – Real Property**10–714.**

(A) THE SELLER OF RESIDENTIAL PROPERTY THAT IS LOCATED WITHIN ~~0.5 MILES~~ 1 MILE OF A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE SHALL PROVIDE THE BUYER WITH AN ADDENDUM TO THE CONTRACT OF SALE THAT CONTAINS, IN CONSPICUOUS TYPE:

(1) IDENTIFICATION OF THE SUPERFUND SITE THAT IS WITHIN ~~0.5 MILES~~ 1 MILE OF THE PROPERTY;

(2) THE DEFINITION OF A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE UNDER U.S. ENVIRONMENTAL PROTECTION AGENCY GUIDELINES;

(3) THE UNIFORM RESOURCE LOCATOR (URL) FOR THE FOLLOWING U.S. ENVIRONMENTAL PROTECTION AGENCY WEBSITES:

(I) SEARCH FOR SUPERFUND SITES WHERE YOU LIVE; AND

(II) SUPERFUND HUMAN EXPOSURE DASHBOARD; AND

(4) A NOTICE THAT WITHIN 5 DAYS AFTER SIGNING AND DATING THE CONTRACT OF SALE AND ON WRITTEN NOTICE TO THE SELLER, THE BUYER:

(I) MAY VOID THE CONTRACT OF SALE; AND

(II) ON RESCISSION OF THE CONTRACT OF SALE, SHALL RECEIVE A FULL REFUND OF ANY MONEY PAID TO THE SELLER.

(B) AN ADDENDUM UNDER SUBSECTION (A) OF THIS SECTION SHALL BE PROVIDED IN THE FOLLOWING FORM OR A SUBSTANTIALLY SIMILAR FORM:

~~“THIS NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE DISCLOSURE ADDENDUM (THE “ADDENDUM”) IS ENTERED INTO THIS _____ DAY OF _____, 20____, BY AND BETWEEN _____ (“SELLER”) AND _____ (“BUYER”). THIS ADDENDUM IS INCORPORATED INTO THE ORIGINAL CONTRACT OF SALE SIGNED ON _____.”~~

~~BUYER AND SELLER HEREBY ACKNOWLEDGE THAT THIS ADDENDUM IS INCORPORATED INTO THE CONTRACT OF SALE FOR THE PROPERTY REFERENCED THEREIN AS THE “PREMISES” AND SERVES TO AFFIRM THE FOLLOWING:~~

(1) A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE IS A SITE OF NATIONAL PRIORITY AMONG THE KNOWN RELEASES OR THREATENED RELEASES OF HAZARDOUS SUBSTANCES, POLLUTANTS, OR CONTAMINANTS THROUGHOUT THE UNITED STATES AND ITS TERRITORIES;

(2) THE SELLER HEREBY NOTIFIES THE BUYER THAT THE ~~PREMISES ARE~~ PROPERTY IS LOCATED WITHIN ~~0.5 MILES~~ 1 MILE OF _____, WHICH IS A NATIONAL PRIORITIES LIST (NPL) SUPERFUND SITE. INFORMATION ABOUT THE LOCATION OF SUPERFUND SITES THROUGHOUT THE STATE OF MARYLAND AND ACROSS THE UNITED STATES CAN BE FOUND AT THE ENVIRONMENTAL PROTECTION AGENCY’S SEARCH FOR SUPERFUND SITES WHERE YOU LIVE WEBSITE (~~HTTPS://WWW.EPA.GOV/SUPERFUND/SEARCH-SUPERFUND-SITES-WHERE-YOU-LIVE~~). INFORMATION ABOUT THE STATUS OF SUPERFUND SITE CONTAMINATION STABILIZATION CAN BE FOUND AT THE ENVIRONMENTAL PROTECTION AGENCY’S ~~SUPERFUND HUMAN EXPOSURE DASHBOARD (HTTPS://WWW.EPA.GOV/SUPERFUND/SUPERFUND-HUMAN-EXPOSURE-DASHBOARD)~~; AND

~~(3) BY SIGNING AND DATING BELOW, THE BUYER AND SELLER AGREE THAT THE ADDENDUM SHALL BE LEGALLY BINDING AND INCORPORATED INTO THE ABOVE REFERENCED CONTRACT OF SALE; AND~~

~~(4) THE BUYER HEREBY ACKNOWLEDGES THAT THE BUYER HAS READ THE ADDENDUM IN FULL AND UNDERSTANDS THAT WITHIN FIVE (5) DAYS AFTER SIGNING AND DATING THE ADDENDUM, AND ON WRITTEN NOTICE TO THE SELLER, THE BUYER MAY VOID THE CONTRACT OF SALE AND IS ENTITLED TO THE RETURN OF ANY MONEY PAID TO THE SELLER ON ACCOUNT OF THE CONTRACT OF SALE.~~

SELLER SIGNATURE _____ DATE _____

BUYER SIGNATURE _____ DATE _____”.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.

Approved by the Governor, April 25, 2024.