

# SENATE BILL 698

N1, N2

11r2659  
CF HB 938

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By: **Senator Eckardt**

Introduced and read first time: February 3, 2021

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property Transfer–on–Death Deed Task Force**

3 FOR the purpose of establishing the Real Property Transfer–on–Death Deed Task Force;  
4 providing for the composition, chair, and staffing of the Task Force; prohibiting a  
5 member of the Task Force from receiving certain compensation, but authorizing the  
6 reimbursement of certain expenses; requiring the Task Force to study and make  
7 recommendations regarding certain matters; requiring the Task Force to report its  
8 findings and recommendations to the Governor and the General Assembly on or  
9 before a certain date; providing for the termination of this Act; and generally relating  
10 to the Real Property Transfer–on–Death Deed Task Force.

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
12 That:

13 (a) There is a Real Property Transfer–on–Death Deed Task Force.

14 (b) The Task Force consists of the following members:

15 (1) one member of the Senate of Maryland, appointed by the President of  
16 the Senate;

17 (2) one member of the House of Delegates, appointed by the Speaker of the  
18 House;

19 (3) the Attorney General, or the Attorney General’s designee;

20 (4) the Secretary of State, or the Secretary’s designee;

21 (5) the Secretary of Housing and Community Development, or the  
22 Secretary’s designee;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (6)    the following members appointed by the Governor;
- 2                   (i)     one representative of the AARP;
- 3                   (ii)    one representative of a homeless advocacy organization;
- 4                   (iii)  one representative of an organization combatting elder abuse;
- 5                   (iv)   one representative of the ARC;
- 6                   (v)    one representative of the Maryland Volunteer Lawyers Service;
- 7                   (vi)   one representative of the Maryland Association of Counties;
- 8                   (vii)  one representative of the Maryland Municipal League; and
- 9                   (viii) one representative of the Maryland Land Title Association; and
- 10           (7)    the following members of the Maryland State Bar Association,  
11 designated by the President of the MSBA:
- 12                   (i)     one representative of the Estates and Trusts Section;
- 13                   (ii)    one representative of the Elder Law Section; and
- 14                   (iii)  one representative of the Real Property Section.
- 15           (c)    The Attorney General or the Attorney General's designee shall serve as the  
16 chair of the Task Force.
- 17           (d)    The Office of the Attorney General shall provide staff for the Task Force.
- 18           (e)    A member of the Task Force:
- 19                   (1)     may not receive compensation as a member of the Task Force; but
- 20                   (2)     is entitled to reimbursement for expenses under the Standard State  
21 Travel Regulations, as provided in the State budget.
- 22           (f)    The Task Force shall:
- 23                   (1)     study other jurisdictions that have implemented the use of a  
24 transfer-on-death deed for real property and consult with relevant experts to evaluate the  
25 potential benefits and negative implications of such an instrument as a means of property  
26 transfer in the State; and

1           (2) make recommendations regarding the implementation of a  
2 transfer-on-death deed in the State.

3           (g) On or before December 1, 2022, the Task Force shall report its findings and  
4 recommendations to the Governor and, in accordance with § 2-1257 of the State  
5 Government Article, the General Assembly.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
7 1, 2021. It shall remain effective for a period of 2 years and, at the end of June 30, 2023,  
8 this Act, with no further action required by the General Assembly, shall be abrogated and  
9 of no further force and effect.