

HOUSE BILL 486

N1
HB 281/23 – ENT

4lr0648
CF SB 125

By: **Delegates Fair, Pruski, Shetty, Terrasa, and Wu** ~~and Wu~~, **Foley, Ruth, and Stewart**

Introduced and read first time: January 22, 2024

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

2 **Residential Property Sales – Contract Disclosures – Superfund Sites**

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

7 BY adding to

8 Article – Real Property

9 Section 10–714

10 Annotated Code of Maryland

11 (2023 Replacement Volume)

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

14 **Article – Real Property**

15 **10–714.**

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

9 (II) SUPERFUND HUMAN EXPOSURE DASHBOARD; AND

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

12 (I) MAY VOID THE CONTRACT OF SALE; AND

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

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

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

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

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

30 (2) THE SELLER HEREBY NOTIFIES THE BUYER THAT THE ~~PREMISES~~
31 ~~ARE~~ PROPERTY IS LOCATED WITHIN ~~0.5 MILES~~ 1 MILE OF
32 _____, WHICH IS A NATIONAL PRIORITIES LIST (NPL)

1 SUPERFUND SITE. INFORMATION ABOUT THE LOCATION OF SUPERFUND SITES
 2 THROUGHOUT THE STATE OF MARYLAND AND THE UNITED STATES CAN BE FOUND
 3 AT THE ENVIRONMENTAL PROTECTION AGENCY’S SEARCH FOR SUPERFUND SITES
 4 WHERE YOU LIVE WEBSITE ([HTTPS://WWW.EPA.GOV/SUPERFUND/
 5 SEARCH-SUPERFUND-SITES-WHERE-YOU-LIVE](https://www.epa.gov/superfund/search-superfund-sites-where-you-live)). INFORMATION ABOUT THE
 6 STATUS OF SUPERFUND SITE CONTAMINATION STABILIZATION CAN BE FOUND AT
 7 THE ENVIRONMENTAL PROTECTION AGENCY’S SUPERFUND HUMAN EXPOSURE
 8 DASHBOARD ([HTTPS://WWW.EPA.GOV/SUPERFUND/SUPERFUND-HUMAN-
 9 EXPOSURE-DASHBOARD](https://www.epa.gov/superfund/superfund-human-exposure-dashboard)); AND

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

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

18 SELLER SIGNATURE _____ DATE _____

19 BUYER SIGNATURE _____ DATE _____”.

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

Approved:

 Governor.

 Speaker of the House of Delegates.

 President of the Senate.