

SENATE BILL 698

N1, N2

1lr2659
CF HB 938

By: **Senator Eckardt**

Introduced and read first time: February 3, 2021

Assigned to: Judicial Proceedings

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;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(6) the following members appointed by the Governor;

(i) one representative of the AARP;

(ii) one representative of a homeless advocacy organization;

(iii) one representative of an organization combatting elder abuse;

(iv) one representative of the ARC;

(v) one representative of the Maryland Volunteer Lawyers Service;

(vi) one representative of the Maryland Association of Counties;

(vii) one representative of the Maryland Municipal League; and

(viii) one representative of the Maryland Land Title Association; and

(7) the following members of the Maryland State Bar Association, designated by the President of the MSBA:

(i) one representative of the Estates and Trusts Section;

(ii) one representative of the Elder Law Section; and

(iii) one representative of the Real Property Section.

(c) The Attorney General or the Attorney General's designee shall serve as the chair of the Task Force.

(d) The Office of the Attorney General shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study other jurisdictions that have implemented the use of a transfer-on-death deed for real property and consult with relevant experts to evaluate the potential benefits and negative implications of such an instrument as a means of property 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.