

Bill No.: _____
Requested: _____
Committee: _____

Drafted by: Goodman
Typed by: Elise
Stored – 10/17/19
Proofread by _____
Checked by _____

By: **Delegate Ebersole**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Residential Property and New Home Construction**
3 **Advertisements – School District Information**

4 **Ho. Co. 02-20**

5 FOR the purpose of providing for the purpose of certain provisions of law; prohibiting a
6 certain real estate broker, associate real estate broker, or real estate salesperson
7 from including the name of a certain school district in an advertisement for the sale
8 or rental of certain residential property in Howard County; providing that certain
9 provisions of law do not prohibit a certain real estate broker, associate real estate
10 broker, or real estate salesperson from including the name of a certain school district
11 in a certain written communication; requiring the State Real Estate Commission to
12 enforce certain provisions of law; prohibiting a registered home builder or a
13 registered home builder sales representative from including the name of a certain
14 school district in a certain advertisement for the construction of a new home in
15 Howard County; providing that certain provisions of law do not prohibit including
16 the name of a certain school district in a certain written communication; requiring
17 the Home Builder and Home Builder Sales Representative Registration Unit to
18 enforce certain provisions of law; defining a certain term; and generally relating to
19 school district information in advertisements for residential property and new homes
20 in Howard County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 Article – Business Occupations and Professions
3 Section 17–526.1
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2019 Supplement)

6 BY adding to
7 Article – Business Regulation
8 Section 4.5–606
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2019 Supplement)

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

13 **Article – Business Occupations and Professions**

14 **17–526.1.**

15 **(A) THE PURPOSE OF THIS SECTION IS TO PROHIBIT CERTAIN**
16 **DISCRIMINATORY REAL ESTATE PRACTICES WITH RESPECT TO HOUSING IN**
17 **HOWARD COUNTY TO:**

18 **(1) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES FOR**
19 **ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR, RELIGION, SEX, MARITAL**
20 **STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701 OF THE STATE**
21 **GOVERNMENT ARTICLE, DISABILITY;**

22 **(2) PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING**
23 **OPPORTUNITIES FOR ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR,**
24 **RELIGION, SEX, MARITAL STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20–701**
25 **OF THE STATE GOVERNMENT ARTICLE, DISABILITY;**

26 **(3) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES AND**
27 **PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING OPPORTUNITIES FOR THOSE**
28 **INDIVIDUALS WHO ARE AT LEAST 62 YEARS OLD; AND**

1 **(4) PROTECT AND ENSURE THE PEACE, HEALTH, SAFETY,**
2 **PROSPERITY, AND GENERAL WELFARE OF ALL RESIDENTS OF HOWARD COUNTY.**

3 **(B) IN THIS SECTION, “ADVERTISEMENT” HAS THE MEANING STATED IN §**
4 **17-527.2 OF THIS SUBTITLE.**

5 **(C) THIS SECTION APPLIES ONLY TO RESIDENTIAL PROPERTY IN HOWARD**
6 **COUNTY.**

7 **(D) (1) A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL**
8 **ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON MAY NOT INCLUDE THE**
9 **NAME OF THE SCHOOL DISTRICT IN WHICH A RESIDENTIAL PROPERTY IS LOCATED**
10 **IN AN ADVERTISEMENT FOR THE SALE OR RENTAL OF THE RESIDENTIAL PROPERTY**
11 **IN HOWARD COUNTY.**

12 **(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO**
13 **NOT PROHIBIT A LICENSED REAL ESTATE BROKER, LICENSED ASSOCIATE REAL**
14 **ESTATE BROKER, OR LICENSED REAL ESTATE SALESPERSON FROM INCLUDING THE**
15 **NAME OF A SCHOOL DISTRICT IN A WRITTEN COMMUNICATION WITH A FACTUAL**
16 **DESCRIPTION OF THE FEATURES OF THE RESIDENTIAL PROPERTY AND THE**
17 **COMMUNITY IN WHICH THE RESIDENTIAL PROPERTY IS LOCATED.**

18 **(E) THE COMMISSION SHALL ENFORCE THE PROVISIONS OF THIS SECTION**
19 **AND, FOR THIS PURPOSE, MAY RECEIVE COMPLAINTS, CONDUCT INVESTIGATIONS,**
20 **ISSUE SUBPOENAS, AND HOLD HEARINGS.**

21 **Article – Business Regulation**

22 **4.5-606.**

23 **(A) THE PURPOSE OF THIS SECTION IS TO PROHIBIT CERTAIN**
24 **DISCRIMINATORY REAL ESTATE PRACTICES WITH RESPECT TO HOUSING IN**
25 **HOWARD COUNTY TO:**

26 **(1) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES FOR**
27 **ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR, RELIGION, SEX, MARITAL**
28 **STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20-701 OF THE STATE**
29 **GOVERNMENT ARTICLE, DISABILITY;**

1 **(2) PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING**
2 **OPPORTUNITIES FOR ALL OF ITS RESIDENTS, REGARDLESS OF RACE, COLOR,**
3 **RELIGION, SEX, MARITAL STATUS, NATIONAL ORIGIN, OR, AS DEFINED IN § 20-701**
4 **OF THE STATE GOVERNMENT ARTICLE, DISABILITY;**

5 **(3) ENSURE FAIR AND EQUAL REAL ESTATE HOUSING PRACTICES AND**
6 **PROVIDE FAIR AND EQUAL REAL ESTATE HOUSING OPPORTUNITIES FOR THOSE**
7 **INDIVIDUALS WHO ARE AT LEAST 62 YEARS OLD; AND**

8 **(4) PROTECT AND ENSURE THE PEACE, HEALTH, SAFETY,**
9 **PROSPERITY, AND GENERAL WELFARE OF ALL RESIDENTS OF HOWARD COUNTY.**

10 **(B) THIS SECTION APPLIES ONLY TO NEW HOME CONSTRUCTION IN**
11 **HOWARD COUNTY.**

12 **(C) (1) A REGISTRANT OR A REGISTERED SALES REPRESENTATIVE MAY**
13 **NOT INCLUDE THE NAME OF THE SCHOOL DISTRICT IN WHICH A NEW HOME WILL BE**
14 **LOCATED IN AN ADVERTISEMENT FOR THE CONSTRUCTION OF THE NEW HOME IN**
15 **HOWARD COUNTY.**

16 **(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO**
17 **NOT PROHIBIT A REGISTRANT OR REGISTERED SALES REPRESENTATIVE FROM**
18 **INCLUDING THE NAME OF A SCHOOL DISTRICT IN A WRITTEN COMMUNICATION WITH**
19 **A FACTUAL DESCRIPTION OF THE FEATURES OF THE NEW HOME AND THE**
20 **COMMUNITY IN WHICH THE NEW HOME WILL BE LOCATED.**

21 **(D) THE UNIT SHALL ENFORCE THE PROVISIONS OF THIS SECTION AND, FOR**
22 **THIS PURPOSE, MAY RECEIVE COMPLAINTS, CONDUCT INVESTIGATIONS, ISSUE**
23 **SUBPOENAS, AND HOLD HEARINGS.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2020.