

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 562 (Montgomery County Delegation)  
Environment and Transportation

---

**Montgomery County - Sale of Residential Real Property - Septic Systems  
Outreach Toolkit  
MC 16-19**

---

This bill requires, in Montgomery County, a vendor to deliver a copy of a “septic systems outreach toolkit” containing specified materials to each purchaser of residential real property that is served by a septic system before the execution of a contract for the sale of the property.

---

**Fiscal Summary**

**State Effect:** The bill is not anticipated to affect State operations or finances.

**Local Effect:** The bill is not anticipated to affect Montgomery County operations or finances.

**Small Business Effect:** None.

---

**Analysis**

**Bill Summary:** “Septic systems outreach toolkit” means a set of materials that promote homeowner education and awareness regarding septic systems, and are available to the public for download from the U.S. Environmental Protection Agency’s [website](#). A vendor must deliver to each purchaser a copy of the following materials: (1) New Homebuyer’s Brochure and Guide to Septic Systems; (2) Do’s And Don’ts Homeowner’s Brochure; and (3) Top 10 Ways to Be a Good Septic Owner document.

**Current Law/Background:** Generally, under the Real Property Article, “vendor” means the seller of real property.

Statute does not require septic system information to be provided to purchasers of real property. However, statute does require various other statements and disclosures. For example, a *home builder*, prior to executing a contract for the initial sale of a new home, must provide written information to the purchaser of a new home about energy-efficient options, including a statement that tax credits may be available related to the energy-efficient options that are available for installation in the home before construction is completed. A home builder is also required to offer specified minimum visitability or accessibility features as an option for purchase at the time of offering new homes in a subdivision for sale. In Prince George’s County, a contract for the initial sale of residential real property for which there are deferred private water and sewer assessments must contain a disclosure that includes information about the assessments. This pertains to assessments recorded by a covenant or declaration that defers the costs for water and sewer improvements for which the purchaser may be liable.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County; Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Legislative Services

**Fiscal Note History:** First Reader - February 24, 2019  
sb/kdm

---

Analysis by: Nathan W. McCurdy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510