

CHAPTER 486
(Senate Bill 621)

AN ACT concerning

Real Property – Construction Contracts

FOR the purpose of requiring certain persons who owe undisputed amounts under certain construction contracts to make certain payments within certain time periods; providing that the provisions of this Act do affect certain rights and apply to certain transactions and contracts; and generally relating to construction contracts.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 9-302 and 9-304

Annotated Code of Maryland

(1988 Replacement Volume and 1989 Supplement)

Preamble

WHEREAS, The Maryland General Assembly passed and the Governor enacted Chapter 553 of the Acts of the General Assembly of 1989, entitled Real Property – Construction Contracts; and

WHEREAS, The Maryland General Assembly is concerned that, because of the placement within the law, the exceptions to the law could be construed as applying to a contract between a contractor and a subcontractor; and

WHEREAS, It was the intent of the General Assembly that the exceptions to the law should only apply to a contract between a contractor and the State, a county, a municipal corporation, a board of education, or a public authority or instrumentality; and

WHEREAS, The General Assembly desires to clarify the original intent of the legislation by changing the placement of the exceptions within the law; now, therefore,

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

Article – Real Property

9-302.

(a) Except for work done or materials furnished under a contract enumerated in