

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Lodge

Typed by: Lynn

Stored – 10/26/18

Proofread by _____

Checked by _____

By: **Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George’s County – New Homes – Correction of Drainage Defects**

3 **PG 408–19**

4 FOR the purpose of requiring the governing body of Prince George’s County to establish a
5 program for the correction of drainage defects in new homes in the county under
6 certain circumstances; requiring the program to include certain procedures;
7 requiring the county to arrange to complete and seek reimbursement for the
8 correction of a drainage defect under certain circumstances; defining certain terms;
9 providing for a delayed effective date; and generally relating to drainage defects in
10 new homes in Prince George’s County.

11 BY adding to
12 Article – Local Government
13 Section 1–1313
14 Annotated Code of Maryland
15 (2013 Volume and 2018 Supplement)

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

18 **Article – Local Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1-1313.

2 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (2) "DRAINAGE DEFECT" MEANS IMPROPER GRADING, POOR SOIL
5 COMPOSITION, OR ANY OTHER DESIGN OR WORKMANSHIP DEFECT ATTRIBUTABLE
6 TO A HOMEBUILDER THAT RESULTS IN A FLOODED YARD OR WATER IN THE
7 BASEMENT OF A NEW HOME.

8 (3) "HOMEBUILDER" MEANS A PERSON THAT UNDERTAKES TO ERECT
9 OR OTHERWISE CONSTRUCT A NEW HOME.

10 (4) (I) "NEW HOME" MEANS A NEWLY CONSTRUCTED
11 SINGLE-FAMILY DWELLING UNIT.

12 (II) "NEW HOME" INCLUDES:

13 1. A CUSTOM HOME AS DEFINED IN § 10-501 OF THE
14 REAL PROPERTY ARTICLE; AND

15 2. A MOBILE HOME AS DEFINED IN § 8A-101 OF THE
16 REAL PROPERTY ARTICLE.

17 (5) "OWNER" MEANS THE PURCHASER OF A NEW HOME WHO USES
18 THE HOME PRIMARILY FOR RESIDENTIAL PURPOSES.

19 (B) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE GOVERNING
20 BODY OF PRINCE GEORGE'S COUNTY SHALL ESTABLISH A PROGRAM FOR THE
21 CORRECTION OF DRAINAGE DEFECTS IN NEW HOMES IN THE COUNTY.

22 (C) THE PROGRAM REQUIRED UNDER SUBSECTION (B) OF THIS SECTION
23 SHALL INCLUDE:

24 (1) A CLAIMS PROCEDURE FOR AN OWNER TO FILE A COMPLAINT FOR
25 THE CORRECTION OF A DRAINAGE DEFECT; AND

1 **(2) AN EVALUATION PROCEDURE FOR DETERMINING WHETHER THE**
2 **HOMEBUILDER IS RESPONSIBLE FOR THE DRAINAGE DEFECT THAT IS THE BASIS OF**
3 **A COMPLAINT.**

4 **(D) IF A HOMEBUILDER IS FOUND TO BE RESPONSIBLE FOR A DRAINAGE**
5 **DEFECT, THE COUNTY SHALL:**

6 **(1) ARRANGE TO COMPLETE THE REQUIRED CORRECTION WITHIN 1**
7 **YEAR OF THE DATE OF THE FILING OF THE COMPLAINT; AND**

8 **(2) SEEK REIMBURSEMENT FROM THE HOMEBUILDER FOR THE**
9 **CORRECTION OF THE DRAINAGE DEFECT.**

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

