Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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Bill Number: HB39 ER **Patron:** Simon
Bill Title: Duty of settlement agent; restrictive covenants.

Bill Summary: Requires a settlement agent to notify the purchaser of any residential real property of the purchaser's right to remove a restrictive covenant contained in an instrument affecting the title of the property disclosed as the result of the title search performed pursuant to the real estate transaction.

Budget Amendment Necessary: No **Items Impacted:** None
Explanation: This bill involves the Department of Professional and Occupational Regulation (DPOR); however, no budget action is needed.

Fiscal Summary: It is anticipated that this bill will not result in any fiscal impact to DPOR.

Fiscal Analysis: This bill would add to the existing list of duties of a settlement agent to include disclosure of a purchaser's right to remove certain restrictive covenants. The bill does not add any requirements for DPOR's Real Estate Board. The Board may choose to communicate this change to its regulant members or incorporate it into updated guidance. Impact estimates are not yet available from DPOR, but it is anticipated that any actions by the Board can be completed through regularly scheduled meetings with existing resources.

Other: None.