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By: **Delegates Conway and Anderson**  
Introduced and read first time: February 7, 2005  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Supersedeas Bonds - Limitation on Amount**

3 FOR the purpose of prohibiting the total amount of a supersedeas bond required  
4 collectively of all appellants to stay enforcement of a certain civil judgment  
5 pending appeal from exceeding a certain amount, regardless of the amount of  
6 the judgment; authorizing the court to require a bond in an amount up to the  
7 full amount of the judgment under certain circumstances; providing for the  
8 application of this Act; and generally relating to supersedeas bonds.

9 BY adding to  
10 Article - Courts and Judicial Proceedings  
11 Section 12-301.1  
12 Annotated Code of Maryland  
13 (2002 Replacement Volume and 2004 Supplement)

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

16 **Article - Courts and Judicial Proceedings**

17 12-301.1.

18 (A) NOTWITHSTANDING ANY OTHER LAW OR COURT RULE AND EXCEPT AS  
19 PROVIDED IN SUBSECTION (B) OF THIS SECTION, IN AN APPEAL FROM A JUDGMENT  
20 ENTERED IN FAVOR OF A PLAINTIFF IN A CIVIL ACTION, THE TOTAL AMOUNT OF THE  
21 SUPERSEDEAS BOND REQUIRED COLLECTIVELY OF ALL APPELLANTS TO STAY  
22 ENFORCEMENT OF THE JUDGMENT MAY NOT EXCEED \$25,000,000, REGARDLESS OF  
23 THE AMOUNT OF THE JUDGMENT.

24 (B) IF AN APPELLEE PROVES BY A PREPONDERANCE OF THE EVIDENCE THAT  
25 AN APPELLANT IS DISSIPATING ASSETS OUTSIDE THE ORDINARY COURSE OF  
26 BUSINESS TO AVOID THE PAYMENT OF A JUDGMENT, THE COURT MAY REQUIRE THE  
27 APPELLANT TO POST A BOND IN AN AMOUNT UP TO THE FULL AMOUNT OF THE  
28 JUDGMENT.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
2 civil actions pending on or filed on or after the effective date of this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 2005.