

HOUSE BILL 436

D3
HB 355/09 – JUD

0lr0879

By: **Delegates Barnes, Anderson, Conaway, Dwyer, Kelly, McConkey,
Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher**

Introduced and read first time: January 29, 2010

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 **Courts – Jury Trials in Civil Actions – Amount in Controversy**

3 FOR the purpose of altering the amount in controversy in a civil action in which a
4 party may not demand a jury trial; providing for the construction and
5 application of this Act; making this Act contingent on the passage and
6 ratification of a certain constitutional amendment; and generally relating to
7 jury trials in civil actions.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 4–402(e)(1)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2009 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 4–402.

17 (e) (1) In a civil action in which the amount in controversy does not
18 exceed ~~[\$10,000] ~~\$20,000~~ \$15,000~~, exclusive of attorney's fees if attorney's fees are

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 recoverable by law or contract, a party may not demand a jury trial pursuant to the
2 Maryland Rules.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
4 construed to affect any requirement under Maryland Rule 2-325 for withdrawal of an
5 election for jury trial after a party files a demand electing a trial by jury.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
7 construed to apply only prospectively and may not be applied or interpreted to have
8 any effect on or application to any civil action filed before the effective date of this Act.

9 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is contingent on
10 the passage of Chapter ___ ~~(S.B. /H.B.)~~ (S.B. 19/H.B. 434) (0lr0878) of the Acts of
11 the General Assembly of 2010, a constitutional amendment, and its ratification by the
12 voters of the State.

13 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions
14 of Section 4 of this Act, this Act shall take effect on the proclamation of the Governor
15 that the constitutional amendment, having received a majority of the votes cast at the
16 general election, has been adopted by the people of Maryland.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.