

# HOUSE BILL 1364

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By: **Delegates Norman, Braveboy, Cane, James, K. Kelly, McComas, McDermott, Otto, Valentino-Smith, Vallario, Vitale, and Wilson**

Introduced and read first time: February 12, 2013

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Breach of Contract – Attorney’s Fees**

3 FOR the purpose of prohibiting a court, in an action for breach of contract, from  
4 modifying certain terms of the contract concerning attorney’s fees; providing for  
5 the application of this Act; and generally relating to breach of contract and  
6 attorney’s fees.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 6–501 to be under the new subtitle “Subtitle 5. Miscellaneous”

10 Annotated Code of Maryland

11 (2006 Replacement Volume and 2012 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 **SUBTITLE 5. MISCELLANEOUS.**

16 **6–501.**

17 **EXCEPT AS OTHERWISE PROVIDED BY LAW, IN AN ACTION FOR BREACH OF**  
18 **CONTRACT, A COURT MAY NOT MODIFY THE TERMS OF THE CONTRACT THAT:**

19 **(1) AUTHORIZE THE RECOVERY OF ATTORNEY’S FEES; AND**

20 **(2) SPECIFY A PERCENTAGE OF FEES, IF ANY, THAT MAY BE**  
21 **AWARDED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
2 construed to apply only prospectively and may not be applied or interpreted to have  
3 any effect on or application to any court order before the effective date of this Act.

4           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2013.