

HOUSE BILL 183

D3, L2

4lr1342

By: **Carroll County Delegation**

Introduced and read first time: January 15, 2014

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Local Government Tort Claims Act – Industrial**
3 **Development Authority**

4 FOR the purpose of altering the definition of a “local government” under the Local
5 Government Tort Claims Act to include a certain nonprofit corporation in
6 Carroll County; providing for the application of this Act; and generally relating
7 to the inclusion of certain nonprofit entities in Carroll County under the Local
8 Government Tort Claims Act.

9 BY repealing and reenacting, with amendments,
10 Article – Courts and Judicial Proceedings
11 Section 5–301(d)
12 Annotated Code of Maryland
13 (2013 Replacement Volume and 2013 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 5–301.

18 (d) “Local government” means:

19 (1) A charter county as defined in § 1–101 of the Local Government
20 Article;

21 (2) A code county as defined in § 1–101 of the Local Government
22 Article;

23 (3) A board of county commissioners;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) Baltimore City;
- 2 (5) A municipality as defined in § 1–101 of the Local Government
3 Article;
- 4 (6) The Maryland–National Capital Park and Planning Commission;
- 5 (7) The Washington Suburban Sanitary Commission;
- 6 (8) The Northeast Maryland Waste Disposal Authority;
- 7 (9) A community college or board of trustees for a community college
8 established or operating under Title 16 of the Education Article, not including
9 Baltimore City Community College;
- 10 (10) A county public library or board of trustees of a county public
11 library established or operating under Title 23, Subtitle 4 of the Education Article;
- 12 (11) The Enoch Pratt Free Library or Board of Trustees of the Enoch
13 Pratt Free Library;
- 14 (12) The Washington County Free Library or the Board of Trustees of
15 the Washington County Free Library;
- 16 (13) A special taxing district;
- 17 (14) A nonprofit community service corporation incorporated under
18 State law that is authorized to collect charges or assessments;
- 19 (15) Housing authorities created under Division II of the Housing and
20 Community Development Article;
- 21 (16) A sanitary district, sanitary commission, metropolitan commission,
22 or other sewer or water authority established or operating under public local law or
23 public general law;
- 24 (17) The Baltimore Metropolitan Council;
- 25 (18) The Howard County Economic Development Authority;
- 26 (19) The Howard County Mental Health Authority;
- 27 (20) A commercial district management authority established by a
28 county or municipal corporation if provided under local law;
- 29 (21) The Baltimore City Police Department;

1 (22) A regional library resource center or a cooperative library
2 corporation established under Title 23, Subtitle 2 of the Education Article;

3 (23) Lexington Market, Inc., in Baltimore City;

4 (24) The Baltimore Public Markets Corporation, in Baltimore City;

5 (25) The nonprofit corporation serving as the local public transportation
6 authority for Carroll County pursuant to a contract or memorandum of understanding
7 with Carroll County (Carroll County Senior Overland Service, Inc., t/a Carroll Area
8 Transit System);

9 (26) The nonprofit corporation serving as the animal control and
10 licensing authority for Carroll County pursuant to a contract or memorandum of
11 understanding with Carroll County (the Humane Society of Carroll County, Inc.);

12 (27) Garrett County Municipalities, Inc., in Garrett County; [and]

13 (28) The nonprofit corporation serving as the local public transportation
14 authority for Garrett County pursuant to a contract or memorandum of understanding
15 with Garrett County (Garrett County Community Action Committee, Inc.); AND

16 **(29) THE NONPROFIT CORPORATION SERVING AS THE INDUSTRIAL**
17 **DEVELOPMENT AUTHORITY OF CARROLL COUNTY ESTABLISHED UNDER TITLE**
18 **12, SUBTITLE 1 OF THE ECONOMIC DEVELOPMENT ARTICLE.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
20 construed to apply only prospectively and may not be applied or interpreted to have
21 any effect on or application to any cause of action arising before the effective date of
22 this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2014.