

# HOUSE BILL 608

D3

5lr1906

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By: **Delegates Carter, Anderson, Conaway, Haynes, Moon, Morales, and Oaks**  
Introduced and read first time: February 12, 2015  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Civil Action for Law Enforcement Officer Misconduct – Nondisclosure**  
3 **Agreements**

4 FOR the purpose of providing that a plaintiff in a civil action against a law enforcement  
5 officer or law enforcement agency for injuries resulting from law enforcement officer  
6 misconduct may not be required, as a part of a settlement of the civil action, to agree  
7 not to disclose to a third party information about the action; providing a certain  
8 immunity for a violation of a certain settlement agreement; providing for the  
9 application of this Act; and generally relating to certain settlement agreements.

10 BY adding to

11 Article – Courts and Judicial Proceedings  
12 Section 5–427  
13 Annotated Code of Maryland  
14 (2013 Replacement Volume and 2014 Supplement)

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

17 **Article – Courts and Judicial Proceedings**

18 **5–427.**

19 **(A) A PLAINTIFF IN A CIVIL ACTION AGAINST A LAW ENFORCEMENT**  
20 **OFFICER OR LAW ENFORCEMENT AGENCY FOR INJURIES RESULTING FROM LAW**  
21 **ENFORCEMENT OFFICER MISCONDUCT MAY NOT BE REQUIRED, AS A PART OF A**  
22 **SETTLEMENT OF THE CIVIL ACTION, TO AGREE NOT TO DISCLOSE TO A THIRD PARTY**  
23 **INFORMATION ABOUT THE ACTION.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) A PLAINTIFF DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS NOT**  
2 **LIABLE FOR A BREACH OF A SETTLEMENT AGREEMENT MADE IN VIOLATION OF THIS**  
3 **SECTION.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
5 apply only prospectively and may not be applied or interpreted to have any effect on or  
6 application to any settlement agreement entered into before the effective date of this Act.

7           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 October 1, 2015.