SENATE BILL 1097

D3, C8 6lr3313 By: Senators Mathias, Eckardt, Edwards, Hershey, and Middleton Introduced and read first time: February 22, 2016 Assigned to: Rules Re-referred to: Judicial Proceedings, February 25, 2016 Committee Report: Favorable Senate action: Adopted Read second time: March 26, 2016 CHAPTER AN ACT concerning Local Government Tort Claims Act - Regional Development Councils FOR the purpose of altering the definition of a "local government" under the Local Government Tort Claims Act to include certain regional development councils; providing for the application of this Act; and generally relating to the inclusion of certain regional councils under the Local Government Tort Claims Act. BY repealing and reenacting, with amendments, Article – Courts and Judicial Proceedings Section 5-301 Annotated Code of Maryland (2013 Replacement Volume and 2015 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Courts and Judicial Proceedings 5-301.(a) In this subtitle the following words have the meanings indicated. (b) "Actual malice" means ill will or improper motivation.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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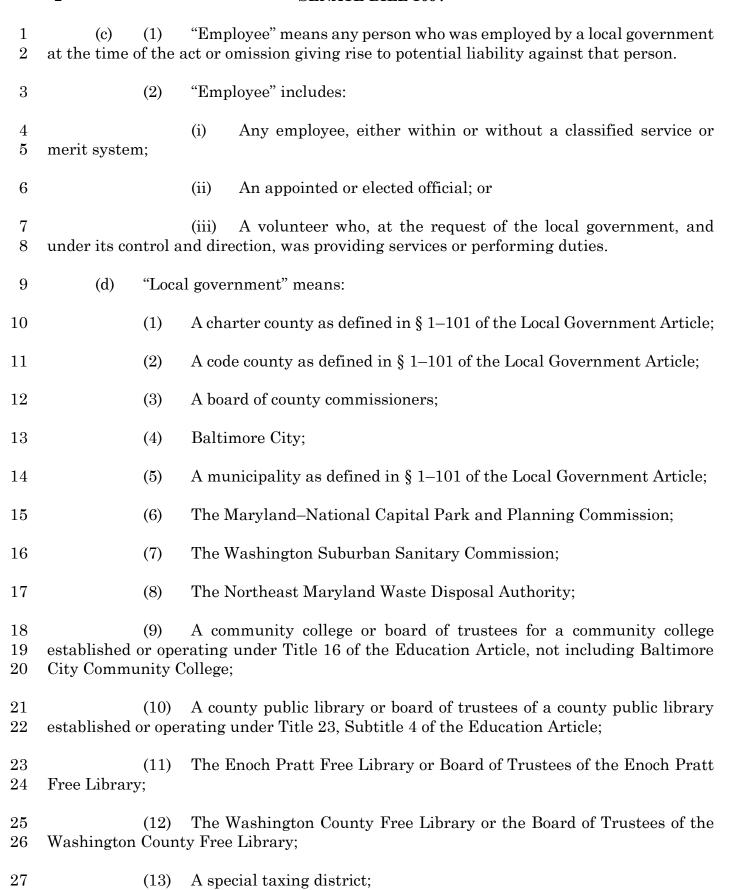
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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



- 1 A nonprofit community service corporation incorporated under State 2 law that is authorized to collect charges or assessments: 3 Housing authorities created under Division II of the Housing and Community Development Article; 4 5 A sanitary district, sanitary commission, metropolitan commission, or 6 other sewer or water authority established or operating under public local law or public 7 general law; 8 The Baltimore Metropolitan Council A REGIONAL DEVELOPMENT (17)9 **COUNCIL:** 10 (18)The Howard County Economic Development Authority; 11 (19)The Howard County Mental Health Authority; 12 A commercial district management authority established by a county or municipal corporation if provided under local law; 13 14 (21)The Baltimore City Police Department; A regional library resource center or a cooperative library corporation 15 (22)established under Title 23, Subtitle 2 of the Education Article; 16 17 Lexington Market, Inc., in Baltimore City; (23)18 The Baltimore Public Markets Corporation, in Baltimore City; (24)19 (25)The nonprofit corporation serving as the local public transportation 20 authority for Carroll County pursuant to a contract or memorandum of understanding with 21Carroll County (Carroll County Senior Overland Service, Inc., t/a Carroll Area Transit 22 System); 23 The nonprofit corporation serving as the animal control and licensing 24 authority for Carroll County pursuant to a contract or memorandum of understanding with 25 Carroll County (the Humane Society of Carroll County, Inc.); 26 Garrett County Municipalities, Inc., in Garrett County; (27)27 The nonprofit corporation serving as the local public transportation (28)28authority for Garrett County pursuant to a contract or memorandum of understanding with 29 Garrett County (Garrett County Community Action Committee, Inc.); and
- 30 (29) The nonprofit corporation serving as the industrial development 31 authority of Carroll County established under Title 12, Subtitle 1 of the Economic 32 Development Article.

1 2	(E) (1) "REGIONAL DEVELOPMENT COUNCIL" MEANS A REGIONAL OF MUNICIPAL COUNCIL ESTABLISHED UNDER TITLE 13 OF THE ECONOMIC
3	DEVELOPMENT ARTICLE.
4	(2) "REGIONAL DEVELOPMENT COUNCIL" INCLUDES:
5	(I) THE BALTIMORE METROPOLITAN COUNCIL;
6	(II) THE MID-SHORE REGIONAL COUNCIL;
7	(III) THE UPPER SHORE REGIONAL COUNCIL;
8	(IV) THE TRI-COUNTY COUNCIL FOR THE LOWER EASTERN SHORE OF MARYLAND;
10 11	(V) THE TRI-COUNTY COUNCIL FOR SOUTHERN MARYLAND AND
12	(VI) THE TRI-COUNTY COUNCIL FOR WESTERN MARYLAND.
13 14 15	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on of application to any cause of action arising before the effective date of this Act.
16 17	SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.
	Approved:
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.