SENATE BILL 1027

D3, K4, L1

By: Senator Manno
Introduced and read first time: February 9, 2017
Assigned to: Rules
Re–referred to: Finance, February 15, 2017

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 21, 2017

CHAPTER _____

1  AN ACT concerning
2
3  Courts – Action for Violation of Collective Bargaining Agreement or Breach of
4     Duty of Fair Representation – Limitations Period

FOR the purpose of establishing a certain limitations period on an action for injunctive
relief or damages for a violation of a collective bargaining agreement covering
employees of the State or a political subdivision of the State or a breach by an
exclusive representative of the duty of fair representation owed to employees of
the State or a political subdivision of the State; providing for the application of this
Act; and generally relating to periods of limitations on actions arising from collective
bargaining agreements.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–120
Annotated Code of Maryland
(2013 Replacement Volume and 2016 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

5–120.

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.
(A) This section applies to an action for injunctive relief or damages for:

(1) A violation of a collective bargaining agreement covering an employee of the State or a political subdivision of the State; or

(2) A breach by an exclusive representative of the duty of fair representation owed to an employee of the State or a political subdivision of the State.

(B) An action subject to this section shall be commenced within 6 months after the later of:

(1) The date on which the claim accrued; or

(2) The date on which the complainant knew or should reasonably have known of the breach.

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 or application to any cause of action arising before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved:

__________________________________________________
Governor.

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President of the Senate.

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Speaker of the House of Delegates.