
By: Delegates Petzold and Mandel

Introduced and read first time: January 25, 1996

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted with floor amendments

Read second time: February 6, 1996

CHAPTER ____

1 AN ACT concerning

2 **Claims - Structured Settlements**

3 FOR the purpose of authorizing the State to enter into a structured settlement of a claim
4 against the State; providing that the claimant shall select the investment company if
5 a structured settlement is entered into; defining a term; and generally relating to
6 structured settlements and claims filed against the State.

7 BY repealing and reenacting, with amendments,
8 Article - State Government
9 Section 12-107(c)
10 Annotated Code of Maryland
11 (1995 Replacement Volume)

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

14 **Article - State Government**

15 12-107.

16 (c) (1) IN THIS SECTION, "STRUCTURED SETTLEMENT" MEANS A PLAN FOR
17 THE PAYMENT OF A JUDGMENT TO A ~~PLAINTIFF~~ CLAIMANT FOR DAMAGES IN
18 PERIODIC INSTALLMENTS.

19 (2) Unless a contract with a private insurer provides otherwise, the
20 Treasurer or designee may compromise and settle a claim for money damages after the
21 Treasurer or designee consults with the Attorney General.

22 (3) THE STATE MAY ENTER INTO A STRUCTURED SETTLEMENT TO THE
23 EXTENT PERMITTED IN § 12-104(A)(2) OF THIS SUBTITLE.

2

1 (4) IF A STRUCTURED SETTLEMENT IS ENTERED INTO, THE CLAIMANT
2 SHALL SELECT THE INVESTMENT COMPANY.

3 [(2)] (5) The acceptance of a settlement by a claimant is, as to that
4 claimant:

5 (i) final; and

6 (ii) a complete release of each claim arising from the same cause of
7 action against:

8 1. the State;

9 2. each of its units; and

10 3. all State personnel.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 1996.