

## CONSTITUTIONAL AMENDMENT

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7lr1476

CF 7lr1475

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**By: Delegates Opara and Vallario**

Introduced and read first time: January 24, 1997

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Jury Trials - Civil Proceedings**

3 FOR the purpose of providing that the right to a jury trial in civil proceedings preserved  
4 by Article 23 of the Declaration of Rights applies when the amount in controversy  
5 exceeds \$10,000; and submitting this amendment to the qualified voters of the State  
6 of Maryland for their adoption or rejection.

7 BY proposing an amendment to the Constitution of Maryland  
8 Declaration of Rights  
9 Article 23

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
11 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
12 concurring), That it be proposed that the Constitution of Maryland read as follows:

13 **Declaration of Rights**

14 Article 23.

15 In the trial of all criminal cases, the Jury shall be the Judges of Law, as well as of  
16 fact, except that the Court may pass upon the sufficiency of the evidence to sustain a  
17 conviction.

18 The right of trial by Jury of all issues of fact in civil proceedings in the several  
19 Courts of Law in this State, where the amount in controversy exceeds the sum of [five  
20 thousand dollars] \$10,000, shall be inviolably preserved.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
22 determines that the amendment to the Constitution of Maryland proposed by this Act  
23 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the  
24 Constitution concerning local approval of constitutional amendments do not apply.

25 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
26 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
27 legal and qualified voters of this State at the next general election to be held in  
28 November, 1998 for their adoption or rejection in pursuance of directions contained in  
29 Article XIV of the Constitution of this State. At that general election, the vote on this  
30 proposed amendment to the Constitution shall be by ballot, and upon each ballot there  
31 shall be printed the words "For the Constitutional Amendments" and "Against the

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1 Constitutional Amendments," as now provided by law. Immediately after the election, all  
2 returns shall be made to the Governor of the vote for and against the proposed  
3 amendment, as directed by Article XIV of the Constitution, and further proceedings had  
4 in accordance with Article XIV.