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**By: Senator Trotter**

Requested: November 13, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Drug Dealer Liability Act**

3 FOR the purpose of making certain persons who distribute or dispense a controlled  
4 dangerous substance liable in a civil action for damages; authorizing tenants in  
5 certain circumstances to bring an action under this Act and recover certain  
6 damages; making law enforcement officers and persons who act at the direction of  
7 or in cooperation with law enforcement officers in an official investigation immune  
8 from civil liability; defining certain terms; and generally relating to the civil liability  
9 of dealers of controlled dangerous substances.

10 BY adding to

11 Article - Courts and Judicial Proceedings  
12 Section 3-1401 through 3-1404 to be under the new subtitle "Subtitle 14. Drug  
13 Dealer Liability Act"  
14 Annotated Code of Maryland  
15 (1995 Replacement Volume and 1996 Supplement)

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

18 **Article - Courts and Judicial Proceedings**

19 SUBTITLE 14. DRUG DEALER LIABILITY ACT.

20 3-1401.

21 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
22 INDICATED.

23 (B) "CONTROLLED DANGEROUS SUBSTANCE" HAS THE MEANING STATED IN  
24 ARTICLE 27, § 277 OF THE CODE.

25 (C) "TENANT" MEANS THE LESSEE OR PERSON OCCUPYING PROPERTY,  
26 WHETHER OR NOT A PARTY TO A LEASE.

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1 3-1402.

2 A PERSON WHO DISTRIBUTES OR DISPENSES A CONTROLLED DANGEROUS  
3 SUBSTANCE IS LIABLE FOR DAMAGES IN A CIVIL ACTION AS PROVIDED IN THIS  
4 SUBTITLE.

5 3-1403.

6 (A) A CIVIL ACTION FOR DAMAGES MAY BE BROUGHT UNDER THIS SUBTITLE  
7 BY A TENANT OF RESIDENTIAL RENTAL PROPERTY WHO IS INJURED BY A PERSON  
8 WHO DISTRIBUTED OR DISPENSED A CONTROLLED DANGEROUS SUBSTANCE  
9 WITHIN 100 FEET OF THE RENTAL UNIT.

10 (B) A TENANT ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE  
11 MAY RECOVER:

12 (1) DAMAGES, INCLUDING PHYSICAL AND EMOTIONAL PAIN,  
13 SUFFERING, PHYSICAL IMPAIRMENT, EMOTIONAL DISTRESS, MENTAL ANGUISH,  
14 LOSS OF ENJOYMENT, AND OTHER NONPECUNIARY LOSSES CAUSED BY A PERSON  
15 WHO DISTRIBUTED OR DISPENSED A CONTROLLED DANGEROUS SUBSTANCE  
16 WITHIN 100 FEET OF THE RENTAL UNIT; AND

17 (2) COURT COSTS AND REASONABLE ATTORNEY'S FEES, INCLUDING  
18 REASONABLE EXPENSES FOR EXPERT TESTIMONY.

19 3-1404.

20 A LAW ENFORCEMENT OFFICER WHO ACTS IN FURTHERANCE OF AN OFFICIAL  
21 INVESTIGATION OR A PERSON WHO ACTS AT THE DIRECTION OF OR IN  
22 COOPERATION WITH A LAW ENFORCEMENT OFFICER IN AN OFFICIAL  
23 INVESTIGATION IS NOT LIABLE UNDER THIS SUBTITLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 1997.