
By: Senator Haines

Requested: November 15, 1996

Introduced and read first time: January 8, 1997

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Immunity from Civil Liability - Local Boards of Supervisors of Elections**

3 FOR the purpose of granting immunity from civil liability to the local boards of
4 supervisors of elections of the State, including the members of the boards, for
5 certain acts occurring within the scope of the boards' official authority; and
6 generally relating to the granting of immunity from civil liability for certain official
7 acts of the local boards of supervisors of elections and the members thereof.

8 BY adding to

9 Article - Courts and Judicial Proceedings
10 Section 5-325.1
11 Annotated Code of Maryland
12 (1995 Replacement Volume and 1996 Supplement)

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

15 **Article - Courts and Judicial Proceedings**

16 5-325.1.

17 (A) IN THIS SECTION "LOCAL BOARD OF ELECTIONS" MEANS THE BOARD OF
18 SUPERVISORS OF ELECTIONS OF EACH COUNTY OF THE STATE AND THE MEMBERS
19 OF EACH OF THOSE BOARDS.

20 (B) A LOCAL BOARD OF ELECTIONS, WHILE ACTING IN A DISCRETIONARY
21 CAPACITY WITHOUT MALICE AND WITHIN THE SCOPE OF THE BOARD'S OFFICIAL
22 AUTHORITY, IS IMMUNE FROM CIVIL LIABILITY FOR ANY ACT OR OMISSION.

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