

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 256 (Delegate Dembrow, *et al.*)
Judiciary

Referred to Judicial Proceedings

Legislative Immunity - Constituent Service Activities and Communications

This enrolled bill provides immunity from civil liability to members of the General Assembly of Maryland or any state legislature while acting in good faith within the scope of their public duties on behalf of a constituent. "Constituent services" is defined. The bill does not supersede or constitute a waiver of a member's constitutional, statutory, or common law privileges or immunities. Further, the bill provides a right of appeal from certain interlocutory orders entered in civil cases denying certain immunity under specified circumstances.

Fiscal Summary

State Effect: None. Providing this civil immunity would not affect governmental finances.

Local Effect: None. Any increase in the circuit court's workload can be handled with existing budgeted resources.

Small Business Effect: Minimal. In recent years, no civil liability suits have been filed by any Maryland small business against any legislators. This bill would preclude any such actions in the future.

Information Source(s): Office of the Attorney General, Judiciary (Administrative Office of the Courts), Department of Fiscal Services

Fiscal Note History: First Reader - January 31, 1997
mld Revised - House Third Reader - March 31, 1997
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