

Department of Legislative Services  
Maryland General Assembly

FISCAL NOTE

House Bill 1243 (Delegate Muse. *et al.*)

Judiciary

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**Drug Dealer Liability Act**

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This bill provides that a person who manufactures, distributes, dispenses, or transports a controlled dangerous substance in the State is liable for damages in a civil action. The bill specifies who may bring such an action and the type of damages that may be recovered from a defendant. The bill further provides that a plaintiff may request an ex parte prejudgment writ of attachment against all assets of a defendant sufficient to satisfy a potential award. A two-year statute of limitations applies to any claim brought pursuant to the bill.

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**Fiscal Summary**

**State Effect:** Potential indeterminate increase in general fund expenditures and/or revenues.

**Local Effect:** Potential indeterminate increase in expenditures and/or revenues.

**Small Business Effect:** Potential meaningful.

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**Fiscal Analysis**

**State Effect:** The bill could increase the Judiciary's caseload to an indeterminate extent, which could result in an increase in general fund expenditures. On the other hand, employers of drug users and governmental units that fund drug treatment programs or employee assistance programs or that otherwise spend money on behalf of individual drug users are specifically included within the class of potential plaintiffs that may file suit against drug dealers. To the extent that the State could qualify as a plaintiff under the bill and recover damages, general fund revenues could increase. The precise impact on State finances cannot be reliably estimated at this time.

**Local Effect:** Local finances could be affected in a similar manner as State finances.

**Small Business Effect:** Employers of drug users, medical facilities, insurers, and other entities that fund drug treatment programs or employee assistance programs or that otherwise spent money on behalf of individual drug users are specifically included in the class of potential plaintiffs that may file suit against drug dealers. Small businesses that fall into these categories could benefit from the bill to the extent that they can recover damages from drug dealers. Small law firms that represent plaintiffs who file suit pursuant to the bill could also benefit financially.

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**Information Source(s):** Judiciary (Administrative Office of the Courts); Department of Health and Mental Hygiene; Department of Human Resources; Baltimore City; Allegany, Prince George's, and Talbot counties; Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 1998

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