

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1255 (Delegates Arnick and Poole)

Judiciary

Circuit Courts - Interlocutory Orders - Right of Appeal

This emergency bill authorizes an appeal from an interlocutory order entered by a circuit court in a civil case dismissing at any time a count in the complaint in a case in which the State is a party.

Fiscal Summary

State Effect: Indeterminate effect on State litigation recoveries and payouts, the workload of the Court of Special Appeals, and the pending tobacco lawsuit.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Effect: The bill would benefit the State in any civil case in which the State is plaintiff and wishes to take an interlocutory appeal from a dismissal of a portion of the case. On the other hand, the bill could be disadvantageous to the State in cases in which the State is defendant and the plaintiff wishes to take an interlocutory appeal from a dismissal of a portion of the case.

To the extent that the bill results in an increase in the number of appeals taken to the Court of Special Appeals, the workload of the Court of Special Appeals could increase.

It is unclear whether this bill would benefit the State in connection with its pending lawsuit against manufacturers of tobacco products, State of Maryland v. Philip Morris, et al.

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

Fiscal Note History: First Reader - March 10, 1998
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