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By: **Delegates Valderrama and Vallario**  
Introduced and read first time: February 11, 1999  
Assigned to: Judiciary

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A BILL ENTITLED

1 AN ACT concerning

2 **Evidence - Paid Bills for Goods or Services**

3 FOR the purpose of providing that certain evidentiary provisions concerning the  
4 admissibility of paid bills for goods or services apply to certain cases originally  
5 filed in a circuit court; providing for the application of this Act; and generally  
6 relating to the admissibility of paid bills for goods or services to prove certain  
7 matters in certain civil trials.

8 BY repealing and reenacting, with amendments,  
9 Article - Courts and Judicial Proceedings  
10 Section 10-105  
11 Annotated Code of Maryland  
12 (1998 Replacement Volume)

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 10-105.

17 (a) The provisions of this section apply to a civil action in:

18 (1) The District Court; or

19 (2) A circuit court if[:

20 (i) The case was originally filed in the District Court;

21 (ii) The case was transferred from the District Court to a circuit  
22 court; and

23 (iii) The] THE amount in controversy in the action in the circuit  
24 court does not exceed the amount specified in § 4-401 of this article for that type of  
25 action.

1 (b) (1) Subject to the provisions of this section, the authenticity of a bill for  
2 goods or services provided and the fairness and reasonableness of the charges of the  
3 provider of the goods or services may be proved, without the testimony of the provider  
4 of the goods or services, by admission into evidence of the paid bill.

5 (2) The bill shall be admitted on testimony, by the party or any other  
6 person with personal knowledge:

7 (i) Identifying the original bill or an authenticated copy; and

8 (ii) 1. Identifying the provider of the goods or services;

9 2. Explaining the circumstances surrounding the receipt of  
10 the bill;

11 3. Describing the goods or services provided;

12 4. Stating that the goods or services were provided in  
13 connection with the event giving rise to the action; and

14 5. Stating that the bill was paid.

15 (c) Subsection (b) of this section applies only if, at least 60 days before the  
16 beginning of the trial, the party who intends to introduce the bill files with the clerk  
17 of the court and serves on all other parties as provided under Maryland Rule 1-321:

18 (1) Notice of the party's intent to introduce the bill without the support of  
19 the testimony of the provider of the goods or services that were billed; and

20 (2) A copy of the bill.

21 (d) Nothing contained in this section may be construed to:

22 (1) Apply to proof of the existence of a medical, dental, or other health  
23 condition, the opinion of a health care provider, or the necessity and the providing of  
24 medical, dental, or other health care;

25 (2) Limit the provisions of § 10-104 of this subtitle concerning the  
26 admissibility of a medical, dental, hospital, or other health care writing or record; or

27 (3) Limit the right of a party to:

28 (i) Request a summons to compel the attendance of a witness;

29 (ii) Examine a witness who appears at trial; or

30 (iii) Engage in discovery as provided under the Maryland Rules.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
32 construed only prospectively and may not be applied or interpreted to have any effect  
33 on or application to any case filed before the effective date of this Act.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1999.