
By: **Delegates Valderrama and Vallario**
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Assigned to: Judiciary

Committee Report: Favorable with amendments
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CHAPTER _____

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; clarifying language; providing for the application of this
6 Act; and generally relating to the admissibility of paid bills for goods or services
7 ~~to prove~~ as evidence of certain 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;

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

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

6 (b) (1) (I) Subject to the provisions of this section, A PAID BILL FOR GOODS
7 OR SERVICES IS ADMISSIBLE WITHOUT THE TESTIMONY OF THE PROVIDER OF THE
8 GOODS OR SERVICES AS EVIDENCE OF the authenticity of a THE bill for goods or
9 services provided and the fairness and reasonableness of the charges of the provider
10 of the goods or services ~~may be proved, without the testimony of the provider of the~~
11 ~~goods or services, by admission into evidence of the paid bill.~~

12 (II) A FINDER OF FACT MAY ATTACH WHATEVER WEIGHT TO A PAID
13 BILL THAT THE FINDER OF FACT DEEMS APPROPRIATE.

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

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

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

18 2. Explaining the circumstances surrounding the receipt of
19 the bill;

20 3. Describing the goods or services provided;

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

23 5. Stating that the bill was paid.

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

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

29 (2) A copy of the bill.

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

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

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

- 1 (3) Limit the right of a party to:
- 2 (i) Request a summons to compel the attendance of a witness;
- 3 (ii) Examine a witness who appears at trial; or
- 4 (iii) Engage in discovery as provided under the Maryland Rules.

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

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