

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 481 (Delegate Rosenberg. *et al.*)

Judiciary

Qualified Immunity from Civil Liability - SLAPP Suits

This bill establishes that a lawsuit is a “strategic lawsuit against public participation” (SLAPP suit) if it is: (1) brought in bad faith against a party who has exercised specified federal or State constitutional rights of free speech in communicating with a government body or the public at large; (2) materially related to the defendant’s communication; and (3) intended to inhibit the exercise of free speech rights. The bill provides immunity from civil liability to a defendant in a SLAPP suit who acts in good faith in exercising free speech rights. A defendant may file a counterclaim, move to dismiss a SLAPP suit, or move to stay all court proceedings, until the matter about which the defendant communicated to the government body or the public at large is resolved.

The bill is applied prospectively only.

Fiscal Summary

State Effect: None. Any effect on the Judiciary’s caseload is expected to be negligible.

Local Effect: None.

Small Business Effect: None.

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

Fiscal Note History: First Reader - February 16, 1999

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