

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE
Revised

House Bill 603 (Delegates Vallario and Dembrow)

Judiciary

Civil Actions - Disclosure of Information and Service of Process

This bill provides that, on written request of a party to a lawsuit, an insurer or an entity that has a self-insurance plan shall provide to the party the defendant's last known home address, if known. The information must be provided only if the plaintiff files a certification that:

- states that the defendant had applicable insurance coverage at the time the alleged liability was incurred;
- sets forth the reasonable efforts made, in good faith, by the plaintiff to locate the defendant; and
- states that the defendant is evading service of process or the whereabouts of the defendant are unknown to the plaintiff.

The bill grants immunity from criminal and civil liability for the provision of such information.

The bill also provides that a party may effect service by leaving copies of the summons and complaint at the defendant's home with a person of suitable age and discretion residing at the home, or by delivering a copy of the summons and complaint to an agent authorized by appointment or law to receive service of process. Under current law, service may be effected on an individual by personal delivery or certified mail.

The bill applies prospectively only.

Fiscal Summary

State Effect: Potential increase in general and/or special fund revenues.

Local Effect: Potential increase in revenues.

Small Business Effect: Potential meaningful.

Fiscal Analysis

State Effect: The bill could result in increased revenues for the State from civil cases in which the State is plaintiff and is able to obtain and collect on judgments against insured defendants through the use of the substituted service of process option (when it otherwise would not be able to do so). State judgment collections can be categorized as either general or special fund revenue, depending on the nature of the claim.

It is expected that any extra work for the Maryland Insurance Administration resulting from the bill could be handled with existing resources.

Local Revenues: The bill could result in increased revenues for local governments in a similar manner as for the State.

Small Business Effect: The bill could result in increased revenues for small businesses in a similar manner as for the State and local governments.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 22, 1999
nncsjr Revised - Updated Information - February 23, 1999
Revised - House Third Reader - March 22, 1999

Analysis by: Claire E. Rooney

Direct Inquiries to:
John Rixey, Coordinating Analyst
(410) 946-5510
(301) 970-5510