

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE
Revised

Senate Bill 715 (Senator McFadden)
(Baltimore City Administration)

Judicial Proceedings

Baltimore City - Local Government Tort Claims Act - Lexington Market, Inc.

This bill provides that Lexington Market, Inc. in Baltimore City meets the definition of local government for the purposes of the Local Government Tort Claims Act. Lexington Market, Inc. and its employees may not raise as a defense a specified statutory limitation on the liability of an agent of an association or organization.

The bill may not be applied to any cause of action arising before the bill's October 1, 2000 effective date.

Fiscal Summary

State Effect: None.

Local Effect: Baltimore City's litigation expenditures could decrease significantly.

Small Business Effect: Potential meaningful.

Analysis

Current Law: Lexington Market, Inc. is not included in the definition of local government for the purposes of the Local Government Tort Claims Act.

Background: Pursuant to a longstanding agreement, the Mayor and City Council of Baltimore indemnifies Lexington Market, Inc. for litigation losses.

Local Fiscal Effect: Because there is currently no limit on the amount of damages payable

in a lawsuit against Lexington Market, capping Lexington Market's liability exposure at \$200,000 is expected to result in a decrease in expenditures for Baltimore City. The precise extent of such an expenditure decrease cannot be reliably estimated, but it is believed to be potentially significant.

The bill could also have the effect of discouraging lawsuits against Lexington Market, Inc.

Additional Information

Prior Introductions: None.

Cross File: HB 725 (Delegate Marriott) - Judiciary.

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

Fiscal Note History: First Reader - February 22, 2000
cm/jr Revised - Enrolled Bill - April 13, 2000

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