

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1009

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “exempting,” in line 4 down through “Code,” in line 5 and substitute “exempting”; in line 7, after “trusts” insert “from certain provisions governing the assignment of certain rights under Title 9 of the Maryland Uniform Commercial Code”; after line 8, insert:

“BY adding to

Article - Commercial Law

Section 9-406(i)

Annotated Code of Maryland

(1997 Replacement Volume and 2000 Supplement)

(As enacted by Chapter 282 of the Acts of the General Assembly of 1999)”;

and in line 11, strike “9-109(d)” and substitute “9-408(e)”.

AMENDMENT NO. 2

On pages 1 through 3, strike beginning with line 18 on page 1 through line 2 on page 3, and substitute:

“9-406.

(1) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THIS SECTION PREVAILS OVER ANY INCONSISTENT STATUTE OF THIS STATE, UNLESS THE PROVISION IS CONTAINED IN A STATUTE OF THIS STATE, REFERS EXPRESSLY TO THIS SECTION AND STATES THAT THE PROVISION PREVAILS OVER THIS SECTION.

(2) SUBSECTION (D) DOES NOT APPLY TO:

(Over)

(A) A CLAIM OR RIGHT TO RECEIVE AMOUNTS UNDER A WORKERS' COMPENSATION ACT AS COMPENSATION FOR AN ACCIDENTAL INJURY OR AN OCCUPATIONAL DISEASE;

(B) A CLAIM OR RIGHT TO RECEIVE AMOUNTS, WHETHER BY SUIT OR AGREEMENT AND WHETHER AS LUMP SUMS OR AS PERIODIC PAYMENTS, FOR DAMAGES ARISING FROM PERSONAL INJURIES; AND

(C) A CLAIM OR RIGHT TO RECEIVE BENEFITS FROM A SPECIAL NEEDS TRUST DESCRIBED IN 42 U.S.C. § 1396P(D)(4), AS AMENDED FROM TIME TO TIME.

9-408.

(e) (1) This section prevails over any inconsistent statute of this State EXCEPT AS PROVIDED IN PARAGRAPH (2).

(2) SUBSECTIONS (A) AND (C) DO NOT APPLY TO:

(A) A CLAIM OR RIGHT TO RECEIVE AMOUNTS UNDER A WORKERS' COMPENSATION ACT AS COMPENSATION FOR AN ACCIDENTAL INJURY OR AN OCCUPATIONAL DISEASE;

(B) A CLAIM OR RIGHT TO RECEIVE AMOUNTS, WHETHER BY SUIT OR AGREEMENT AND WHETHER AS LUMP SUMS OR AS PERIODIC PAYMENTS, FOR DAMAGES ARISING FROM PERSONAL INJURIES; AND

(C) A CLAIM OR RIGHT TO RECEIVE BENEFITS FROM A SPECIAL NEEDS TRUST DESCRIBED IN 42 U.S.C. § 1396P(D)(4), AS AMENDED FROM TIME TO TIME.”.