
By: **Delegate Vallario (Task Force to Examine Maryland's Crime Victims' Rights Laws) and Delegates R. Baker, Barkley, Barve, Bobo, Boschert, Boutin, Bozman, Bronrott, Cane, Clagett, Conroy, Conway, DeCarlo, Donoghue, Doory, Dypski, Edwards, Finifter, Franchot, Frush, Giannetti, Goldwater, Griffith, Grosfeld, Harrison, Hecht, Heller, Hixson, Howard, Hubbard, Hubers, Hutchins, K. Kelly, Kopp, La Vay, Marriott, McIntosh, Menes, Mohorovic, Montague, Morhaim, Owings, Parrott, Pendergrass, Rawlings, Riley, Rosso, Rudolph, Shank, Shriver, Stern, Stocksdale, and Taylor**

Introduced and read first time: February 2, 2001
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions - Punitive Damages - Crime Victims**

3 FOR the purpose of allowing in a civil action an award of punitive damages resulting
4 from conduct that would constitute a violation of certain criminal offenses under
5 certain circumstances; providing for the application of certain provisions of law
6 to a claim for punitive damages under certain circumstances; providing for the
7 application of this Act; and generally relating to allowing recovery of punitive
8 damages for crime victims under certain circumstances.

9 BY adding to
10 Article - Courts and Judicial Proceedings
11 Section 10-913(c)
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 2000 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Courts and Judicial Proceedings**

17 10-913.

18 (C) IN A CIVIL ACTION FOR PERSONAL INJURY OR DEATH RESULTING FROM
19 CONDUCT THAT WOULD CONSTITUTE A VIOLATION OF § 8-738 OF THE NATURAL
20 RESOURCES ARTICLE OR § 21-902 OF THE TRANSPORTATION ARTICLE, PUNITIVE
21 DAMAGES MAY BE AWARDED WITHOUT THE NECESSITY OF PROVING ACTUAL

1 MALICE IF THE CONDUCT IS WANTON, MALICIOUS, RECKLESS, OR GROSSLY
2 NEGLIGENT.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
4 construed only prospectively and may not be applied or interpreted to have any effect
5 on or application to any cause of action arising before the effective date of this Act.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2001.