

SENATE BILL 242

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2001 Regular Session
11r0645
CF 11r0646

By: **Senator Stone (Task Force to Examine Maryland's Crime Victims' Rights Laws)** and **Senators Colburn, Collins, Ferguson, Hollinger, Kelley, Lawlah, and Sfikas**

Introduced and read first time: January 24, 2001

Assigned to: Judicial Proceedings

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
22 MALICE IF THE CONDUCT IS WANTON, MALICIOUS, RECKLESS, OR GROSSLY
23 NEGLIGENT.

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

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