

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

Revised

Senate Bill 536 (Senator Collins) (Baltimore County Administration) and
(Senator Astle) (Anne Arundel County Administration)

Judicial Proceedings

Judiciary

**Baltimore County Revenue Authority and Anne Arundel County Tipton Airport
Authority - Local Government Tort Claims Act - Immunity**

This bill expands the definition of “local government” for purposes of the Local Government Tort Claims Act to include the Baltimore County Revenue Authority and the Anne Arundel County Tipton Airport Authority.

Fiscal Summary

State Effect: None. The bill would not directly affect State operations or finances.

Local Effect: Potential reduction in litigation/liability insurance expenditures for the Baltimore County Revenue Authority and the Anne Arundel County Tipton Airport Authority.

Small Business Effect: Potential minimal. Law firms that represent plaintiffs in tort actions against the Baltimore County Revenue Authority or the Anne Arundel County Tipton Airport Authority could receive lower litigation fees and damage awards as a result of the bill.

Analysis

Current Law: Neither the Baltimore County Revenue Authority nor the Anne Arundel County Tipton Airport Authority is included within the definition of “local government” for purposes of the Local Government Tort Claims Act.

Background: Under the Local Government Tort Claims Act, the liability of a local government for damages resulting from tortious acts or omissions may not exceed \$200,000 per an individual claim, and \$500,000 per total claims that arise from the same occurrence.

The Baltimore County Revenue Authority is a five-member public corporation appointed by the Baltimore County Executive, with the advice and consent of the Baltimore County Council. The Baltimore County Revenue Authority was created for the purpose of constructing, improving, equipping, furnishing, maintaining, acquiring, and operating various public facilities in Baltimore County.

The Tipton Airport Authority was authorized by the General Assembly in 1997 (Chapter 539) and subsequently created by the Anne Arundel County Council by local legislation. The authority was charged with acquiring, equipping, maintaining, and operating an airport or landing field and appurtenant facilities at Fort George C. Meade. The 1997 legislation required it to be established as “a body corporate and politic, which shall be deemed an instrumentality of the county and a public corporation.”

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore County, Department of Legislative Services

Fiscal Note History: First Reader – February 27, 2001
ef/jr Revised – Senate Third Reader – March 23, 2001

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