

(PRE-FILED)

By: **Senators Haines, Giannetti, Jacobs, and Jimeno**

Requested: November 9, 2004

Introduced and read first time: January 12, 2005

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 23, 2005

CHAPTER _____

1 AN ACT concerning

2 **Civil Actions - Limitation of Actions - Land Surveyors**

3 FOR the purpose of altering the time period after which a person may not seek
4 damages incurred as a result of an error in a land survey; providing for the
5 application of this Act; and generally relating to the limitation of actions against
6 land surveyors.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 5-112
10 Annotated Code of Maryland
11 (2002 Replacement Volume and 2004 Supplement)

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

14 **Article - Courts and Judicial Proceedings**

15 5-112.

16 No cause of action for damages accrues and a person may not seek contribution
17 or indemnity for damages incurred for an error in a survey of land unless an action for
18 damages is brought within [20] 10 years of the survey, or within 3 years after the
19 discovery of the error, whichever occurs first.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
21 construed to apply only prospectively and may not be applied or interpreted to have

1 any effect on or application to any cause of action arising before the effective date of
2 this Act.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2005.