
By: **Delegates Vallario, Anderson, Dumais, Gutierrez, Kelley, Petzold,
Rosenberg, Simmons, Smigiel, and Sophocleus**

Introduced and read first time: January 27, 2006

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts - Jury Trials in Civil Actions - Amount in Controversy**

3 FOR the purpose of providing that a right to a jury trial in a civil action does not exist
4 if the amount in controversy does not exceed a certain amount; providing for the
5 application of this Act; making this Act contingent on the passage and
6 ratification of a certain Constitutional Amendment; and generally relating to
7 jury trials in civil actions.

8 BY repealing and reenacting, with amendments,
9 Article - Courts and Judicial Proceedings
10 Section 4-402(e)(1)
11 Annotated Code of Maryland
12 (2002 Replacement Volume and 2005 Supplement)

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

15 **Article - Courts and Judicial Proceedings**

16 4-402.

17 (e) (1) In a civil action in which the amount in controversy [exceeds] DOES
18 NOT EXCEED \$10,000, exclusive of attorney's fees if attorney's fees are recoverable by
19 law or contract, a party may NOT demand a jury trial pursuant to the Maryland
20 Rules.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
22 construed to apply only prospectively and may not be applied or interpreted to have
23 any effect on or application to any civil action filed before the effective date of this Act.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is contingent
25 on the passage of Chapter ____ (S.B. ____/H.B. ____)(6lr1010) of the Acts of the
26 General Assembly of 2006, a Constitutional Amendment, and its ratification by the
27 voters of the State.

1 SECTION 4. AND BE IT FURTHER ENACTED, That, subject to the
2 provisions of Section 3 of this Act, this Act shall take effect on the date of certification
3 of the election results on the question of ratification of the Constitutional Amendment
4 by the voters of the State.