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

Introduced and read first time: January 27, 2006

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 28, 2006

CHAPTER _____

1 AN ACT concerning

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

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be
2 construed to affect any requirement under Maryland Rule 2-325 for withdrawal of an
3 election for jury trial after a party files a demand electing a trial by jury.

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

7 ~~SECTION 3.~~ 4. AND BE IT FURTHER ENACTED, That this Act is contingent
8 on the passage of Chapter _____ (S.B. _____/~~H.B. _____~~ H.B. 413)(6lr1010) of the Acts of
9 the General Assembly of 2006, a Constitutional Amendment, and its ratification by
10 the voters of the State.

11 ~~SECTION 4.~~ 5. AND BE IT FURTHER ENACTED, That, subject to the
12 provisions of Section ~~3~~ 4 of this Act, this Act shall take effect on the date of
13 certification of the election results on the question of ratification of the Constitutional
14 Amendment by the voters of the State.