

HB1035/942319/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 1035

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Employee” in line 2 down through “Corporation” in line 3 and substitute “State Personnel – Definition and Claims”; in line 6, after “Corporation;” insert “providing that certain restrictions do not apply to actions instituted against certain units of the State or their employees or officials;”; and in line 11, after “12-101(a)(2)” insert “and 12-106”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

“12-106.

(a) This section does not apply to a claim that is asserted by cross-claim, counterclaim, or third-party claim.

(b) [A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A claimant may not institute an action under this subtitle unless:

(1) the claimant submits a written claim to the Treasurer or a designee of the Treasurer within 1 year after the injury to person or property that is the basis of the claim;

(2) the Treasurer or designee denies the claim finally; and

(3) the action is filed within 3 years after the cause of action arises.

(Over)

(C) THE REQUIREMENTS OF SUBSECTION (B)(1) AND (2) OF THIS SECTION DO NOT APPLY TO AN ACTION AGAINST A UNIT OF THE STATE OR ITS EMPLOYEE OR OFFICIAL DESCRIBED IN § 12-101(A)(2)(VI), (VII), (VIII), OR (X) OF THIS SUBTITLE.