

CHAPTER 324

(Senate Bill 309)

AN ACT concerning

Civil Actions *or Claims* – *Reports* – Dismissal ~~or Termination~~ – Limitations

FOR the purpose of authorizing the commencement of a new civil action *or claim* if a prior action *or claim* for the same cause *against the same party or parties* was commenced within the applicable period of limitations, and was dismissed ~~or terminated in a manner other than by a final judgment on the merits~~ without prejudice for failure to file a certain report under certain circumstances; providing the time period within which a new civil action *or claim* may be commenced in accordance with this Act; providing for the application of this Act; and generally relating to altering the periods of limitations on commencement of *certain* civil actions *and claims* under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings
Section 5–118
Annotated Code of Maryland
(2006 Replacement Volume)

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

Article – Courts and Judicial Proceedings

5–118.

(A) (1) THIS SECTION DOES NOT APPLY TO A VOLUNTARY DISMISSAL OF A CIVIL ACTION OR CLAIM BY THE PARTY WHO COMMENCED THE ACTION OR CLAIM.

(2) THIS SECTION APPLIES ONLY TO A CIVIL ACTION OR CLAIM THAT IS DISMISSED ONCE FOR FAILURE TO FILE A REPORT IN ACCORDANCE WITH § 3–2A–04(B)(3) OF THIS ARTICLE.

(B) IF A CIVIL ACTION OR CLAIM IS COMMENCED BY A PARTY WITHIN THE APPLICABLE PERIOD OF LIMITATIONS AND IS DISMISSED ~~OR TERMINATED~~

~~IN A MANNER OTHER THAN BY A FINAL JUDGMENT ON THE MERITS WITHOUT PREJUDICE, THE PARTY MAY COMMENCE A NEW CIVIL ACTION OR CLAIM FOR THE SAME CAUSE ~~WITHIN~~ AGAINST THE SAME PARTY OR PARTIES ON OR BEFORE THE LATER OF:~~

(1) ~~THE~~ EXPIRATION OF THE APPLICABLE PERIOD OF LIMITATIONS; ~~OR~~

(2) ~~1 YEAR~~ 6 MONTHS 60 DAYS FROM THE DATE OF THE DISMISSAL; ~~OR~~

(3) AUGUST 1, 2007, IF THE ACTION OR CLAIM WAS DISMISSED ON OR AFTER NOVEMBER 17, 2006, BUT BEFORE JUNE 1, 2007 ~~OR TERMINATION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any action or claim dismissed ~~or terminated~~ before the effective date of this Act for which a final judgment has been rendered and for which appeals, if any, have been exhausted before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2007.

Approved by the Governor, May 8, 2007.