

HOUSE BILL 16

D3

8lr0722

(PRE-FILED)

By: **Delegate Smigiel**

Requested: September 20, 2007

Introduced and read first time: January 9, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Local Government Tort Claims Act - Notice**

3 FOR the purpose of altering the time period during which certain notice must be given
4 to bring an action for unliquidated damages against a local government or its
5 employees; providing for the application of this Act; and generally relating to
6 notice under the Local Government Tort Claims Act.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 5-304(b)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 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 5-304.

16 (b) Except as provided in subsections (a) and (d) of this section, an action for
17 unliquidated damages may not be brought against a local government or its employees
18 unless the notice of the claim required by this section is given within [180 days] **1**
19 **YEAR** after the injury.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2008.