

HOUSE BILL 297

D3, L2

8lr0752

By: **Howard County Delegation**

Introduced and read first time: January 24, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County – Local Government Tort Claims Act – Revenue Authority**

3 **Ho. Co. 04–08**

4 FOR the purpose of altering the definition of “local government” under the Local
5 Government Tort Claims Act to include the Howard County Revenue Authority;
6 making conforming changes; providing for the application of this Act; and
7 generally relating to the inclusion of the Howard County Revenue Authority
8 under the Local Government Tort Claims Act.

9 BY repealing and reenacting, with amendments,
10 Article – Courts and Judicial Proceedings
11 Section 5–301(d) and 5–304(a)
12 Annotated Code of Maryland
13 (2006 Replacement Volume and 2007 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 5–301.

18 (d) “Local government” means:

19 (1) A chartered county established under Article 25A of the Code;

20 (2) A code county established under Article 25B of the Code;

21 (3) A board of county commissioners established or operating under
22 Article 25 of the Code;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (4) Baltimore City;
- 2 (5) A municipal corporation established or operating under Article 23A
3 of the Code;
- 4 (6) The Maryland–National Capital Park and Planning Commission;
- 5 (7) The Washington Suburban Sanitary Commission;
- 6 (8) The Northeast Maryland Waste Disposal Authority;
- 7 (9) A community college or board of trustees for a community college
8 established or operating under Title 16 of the Education Article, not including
9 Baltimore City Community College;
- 10 (10) A county public library or board of trustees of a county public
11 library established or operating under Title 23, Subtitle 4 of the Education Article;
- 12 (11) The Enoch Pratt Free Library or Board of Trustees of the Enoch
13 Pratt Free Library;
- 14 (12) The Washington County Free Library or the Board of Trustees of
15 the Washington County Free Library;
- 16 (13) A special taxing district;
- 17 (14) A nonprofit community service corporation incorporated under
18 State law that is authorized to collect charges or assessments;
- 19 (15) Housing authorities created under Division II of the Housing and
20 Community Development Article;
- 21 (16) A sanitary district, sanitary commission, metropolitan commission,
22 or other sewer or water authority established or operating under public local law or
23 public general law;
- 24 (17) The Baltimore Metropolitan Council;
- 25 (18) The Howard County Economic Development Authority;
- 26 (19) The Howard County Mental Health Authority;
- 27 **(20) THE HOWARD COUNTY REVENUE AUTHORITY;**
- 28 [(20)] **(21)** A commercial district management authority established by
29 a county or municipal corporation if provided under local law;

1 [(21)] **(22)** The Baltimore City Police Department;

2 [(22)] **(23)** A regional library resource center or a cooperative library
3 corporation established under Title 23, Subtitle 2 of the Education Article;

4 [(23)] **(24)** Lexington Market, Inc., in Baltimore City;

5 [(24)] **(25)** The Baltimore Public Markets Corporation, in Baltimore
6 City;

7 [(25)] **(26)** The nonprofit corporation serving as the local public
8 transportation authority for Carroll County pursuant to a contract or memorandum of
9 understanding with Carroll County (Carroll County Senior Overland Service, Inc., t/a
10 Carroll Area Transit System);

11 [(26)] **(27)** The nonprofit corporation serving as the animal control and
12 licensing authority for Carroll County pursuant to a contract or memorandum of
13 understanding with Carroll County (the Humane Society of Carroll County, Inc.);

14 [(27)] **(28)** Garrett County Municipalities, Inc., in Garrett County; and

15 [(28)] **(29)** The nonprofit corporation serving as the local public
16 transportation authority for Garrett County pursuant to a contract or memorandum of
17 understanding with Garrett County (Garrett County Community Action Committee,
18 Inc.).

19 5-304.

20 (a) This section does not apply to an action against a nonprofit corporation
21 described in [§ 5-301(d)(23), (24), (25), (26), or (28)] **§ 5-301(D)(24), (25), (26), (27),**
22 **OR (29)** of this subtitle or its employees.

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

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