

# SENATE BILL 118

D3

(0lr0353)

## *ENROLLED BILL*

— *Judicial Proceedings/Judiciary* —

Introduced by **Senators Zirkin and Stone**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Courts – Jury Trials in Civil Actions – Amount in Controversy**

3 FOR the purpose of altering the amount in controversy in a civil action in which a  
4 party may not demand a jury trial; providing for the construction and  
5 application of this Act; making this Act contingent on the passage and  
6 ratification of a certain constitutional amendment; and generally relating to  
7 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 (2006 Replacement Volume and 2009 Supplement)

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber/conference committee amendments.



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

3 **Article – Courts and Judicial Proceedings**

4 4–402.

5 (e) (1) In a civil action in which the amount in controversy does not  
6 exceed [\$10,000] ~~\$20,000~~ \$15,000, exclusive of attorney's fees if attorney's fees are  
7 recoverable by law or contract, a party may not demand a jury trial pursuant to the  
8 Maryland Rules.

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

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

15 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is contingent on  
16 the passage of Chapter \_\_\_ (~~S.B. / H.B.~~) (S.B.119/H.B.434) (0lr0427) of the Acts  
17 of the General Assembly of 2010, a constitutional amendment, and its ratification by  
18 the voters of the State.

19 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions  
20 of Section 4 of this Act, this Act shall take effect on the proclamation of the Governor  
21 that the constitutional amendment, having received a majority of the votes cast at the  
22 general election, has been adopted by the people of Maryland.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.