

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE

House Bill 84 (Delegate Krebs)

Health and Government Operations

Judicial Proceedings

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Annotated Code of Maryland - Captions and Catchlines - Interpretation

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This bill clarifies that, unless otherwise provided by law, a caption or catchline of a section or subsection of the Annotated Code of Maryland (the Code) that is printed in bold type, italics, or other type is intended only to indicate the contents of the section and subsection and may not be considered as a title of the section or subsection, nor may it be considered as a title if the section, subsection, caption, or catchline is amended or reenacted.

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Fiscal Summary

**State Effect:** None. The change does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary/Current Law:** Under the General Provisions Article, the caption or catchline of a section or subsection of the Code (1) is intended as a mere catchword to indicate the contents of the section or subsection; (2) may not be considered as a title of the section or subsection; and (3) *except as otherwise provided*, may not be considered as a title if the section, subsection, caption, or catchline is amended or reenacted.

The bill clarifies that the exception to the rules of construction for captions and catchlines does not exclusively apply to the construction of captions and catchlines as titles if the section, subsection, caption, or catchline is amended or reenacted; captions and catchlines may be considered as titles or as more than mere catchwords whenever so provided by law.

**Background:** Maryland case law establishes that captions and catchlines are not considered part of the law; unless expressly stated, captions and catchlines are not part of the contents of sections and do not limit or expand the plain meaning of statutory language, nor do they convey legislative intent that is not already expressed in the body of the law. *Montgomery County v. Eli*, 20 Md. App. 269 (1974); *W. Corr. Inst. v. Geiger*, 371 Md. 125 (2002).

In annotations to the newly codified 2014 General Provisions Article, the General Provisions Article Review Committee notes that there are instances in the Code where section captions are made part of the law (such as in the Maryland Uniform Commercial Code), and that the General Assembly may wish to amend the General Provisions Article to reflect these exceptions.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Legislative Services

**Fiscal Note History:** First Reader - February 12, 2015  
mar/hlb

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