

# HOUSE BILL 350

D3, E4  
HB 608/15 – JUD

6lr1059

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By: **Delegates Anderson, Anderton, Angel, B. Barnes, D. Barnes, Barron, Branch, Brooks, Carter, Conaway, Fennell, Fraser-Hidalgo, Frick, Glenn, Hayes, Haynes, Kelly, Korman, Lierman, Mautz, McCray, McIntosh, Metzgar, A. Miller, Moon, Morales, Morgan, Oaks, Pena-Melnyk, Platt, Reznik, B. Robinson, S. Robinson, Rosenberg, Smith, Sydnor, Valderrama, Vallario, Vaughn, Waldstreicher, Walker, A. Washington, M. Washington, and P. Young**

Introduced and read first time: January 27, 2016

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Civil Action for Law Enforcement Officer Conduct – Nondisclosure**  
3 **Agreements**

4 FOR the purpose of providing that a plaintiff in a civil action against a law enforcement  
5 officer or law enforcement agency for injuries resulting from law enforcement officer  
6 misconduct may not be required, as a part of a settlement of the civil action, to agree  
7 not to disclose to a third party information about the action; providing a certain  
8 immunity for a violation of a certain settlement agreement; providing for the  
9 application of this Act; and generally relating to certain settlement agreements.

10 BY adding to  
11 Article – Courts and Judicial Proceedings  
12 Section 5–427  
13 Annotated Code of Maryland  
14 (2013 Replacement Volume and 2015 Supplement)

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

17 **Article – Courts and Judicial Proceedings**

18 **5–427.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(A) A PLAINTIFF IN A CIVIL ACTION AGAINST A LAW ENFORCEMENT**  
2 **OFFICER OR LAW ENFORCEMENT AGENCY FOR INJURIES RESULTING FROM LAW**  
3 **ENFORCEMENT OFFICER MISCONDUCT MAY NOT BE REQUIRED, AS A PART OF A**  
4 **SETTLEMENT OF THE CIVIL ACTION, TO AGREE NOT TO DISCLOSE TO A THIRD PARTY**  
5 **INFORMATION ABOUT THE ACTION.**

6           **(B) A PLAINTIFF DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS NOT**  
7 **LIABLE FOR A BREACH OF A SETTLEMENT AGREEMENT MADE IN VIOLATION OF THIS**  
8 **SECTION.**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
10 apply only prospectively and may not be applied or interpreted to have any effect on or  
11 application to any settlement agreement entered into before the effective date of this Act.

12           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2016.