HOUSE BILL 1037

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0lr3127 CF 0lr3308

By: **Delegate Moon** Introduced and read first time: February 5, 2020 Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 Civil Actions – Noneconomic Damages – Personal Injury or Wrongful Death

- FOR the purpose of specifying that, notwithstanding any other provision of law, no
 statutory limitation on noneconomic damages applies in certain claims or actions for
 damages for personal injury or wrongful death that arise on or after a certain date
 under certain circumstances; and generally relating to civil actions and noneconomic
 damages.
- 8 BY adding to
- 9 Article Courts and Judicial Proceedings
- 10 Section 11–108.1
- 11 Annotated Code of Maryland
- 12 (2013 Replacement Volume and 2019 Supplement)
- 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 14 That the Laws of Maryland read as follows:
- 15 Article Courts and Judicial Proceedings
- 16 **11–108.1.**

NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ANY CLAIM OR ACTION
FOR DAMAGES FOR PERSONAL INJURY OR WRONGFUL DEATH ARISING ON OR AFTER
OCTOBER 1, 2020, NO STATUTORY LIMITATION ON NONECONOMIC DAMAGES MAY
APPLY IF THE TRIER OF FACT FINDS, BY A PREPONDERANCE OF THE EVIDENCE,
THAT THE DAMAGES RESULTED FROM ONE OR MORE WILLFUL, WANTON,
MALICIOUS, RECKLESS, OR GROSSLY NEGLIGENT ACTS OR OMISSIONS.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 24 October 1, 2020.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law.

