

SENATE BILL 436

D3

0lr3091
CF 0lr0965

By: **Senator McCray**

Introduced and read first time: January 27, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Improperly Summoning a Police Officer – Civil Liability**

3 FOR the purpose of authorizing a person to bring a civil action for damages against another
4 person who knowingly causes a police officer to arrive at a location to contact the
5 person with a certain intent; specifying the types of damages that may be recovered
6 under this Act; providing that this Act does not limit certain legal remedies; and
7 generally relating to civil liability for improperly summoning a police officer.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 3–2201 through 3–2203 to be under the new subtitle “Subtitle 22. Liability
11 for Improperly Summoning a Police Officer”

12 Annotated Code of Maryland

13 (2013 Replacement Volume and 2019 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 **SUBTITLE 22. LIABILITY FOR IMPROPERLY SUMMONING A POLICE OFFICER.**

18 **3–2201.**

19 **A PERSON MAY BRING A CIVIL ACTION FOR DAMAGES AGAINST ANOTHER**
20 **PERSON WHO KNOWINGLY CAUSES A POLICE OFFICER TO ARRIVE AT A LOCATION TO**
21 **CONTACT THE PERSON WITH THE INTENT TO:**

22 **(1) INFRINGE ON THE PERSON’S RIGHTS UNDER THE MARYLAND**
23 **CONSTITUTION OR THE UNITED STATES CONSTITUTION;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) UNLAWFULLY DISCRIMINATE AGAINST THE PERSON;**

2 **(3) CAUSE THE PERSON TO:**

3 **(I) FEEL HARASSED, HUMILIATED, OR EMBARRASSED; OR**

4 **(II) BE EXPELLED FROM A PLACE IN WHICH THE PERSON IS**
5 **LAWFULLY LOCATED; OR**

6 **(4) DAMAGE THE PERSON’S:**

7 **(I) REPUTATION OR STANDING WITHIN THE COMMUNITY; OR**

8 **(II) FINANCIAL, ECONOMIC, CONSUMER, OR BUSINESS**
9 **PROSPECTS OR INTERESTS.**

10 **3-2202.**

11 **A PERSON ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE MAY**
12 **RECOVER:**

13 **(1) THE GREATER OF:**

14 **(I) ECONOMIC AND NONECONOMIC DAMAGES, INCLUDING**
15 **DAMAGES FOR EMOTIONAL DISTRESS; OR**

16 **(II) STATUTORY DAMAGES OF \$10,000 AGAINST EACH**
17 **DEFENDANT FOUND LIABLE UNDER THIS SECTION; AND**

18 **(2) PUNITIVE DAMAGES.**

19 **3-2203.**

20 **THIS SUBTITLE DOES NOT LIMIT ANY OTHER LEGAL REMEDY TO WHICH A**
21 **PLAINTIFF IS ENTITLED.**

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