

SENATE BILL 642

D3

5lr1612

By: **Senators Gallion, Folden, and Bailey**
Introduced and read first time: January 25, 2025
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Prohibited Liability Agreements – Indoor Trampoline Parks**

3 FOR the purpose of altering a provision of law that makes unenforceable a provision of a
4 contract or agreement limiting liability for injury caused by negligence or other
5 wrongful acts to apply the unenforceability only to contracts or agreements relating
6 to the use of an indoor trampoline park rather than the use of a recreational facility;
7 and generally relating to liability agreements and indoor trampoline parks.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 5–401.2
11 Annotated Code of Maryland
12 (2020 Replacement Volume and 2024 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 5–401.2.

17 (a) [(1) In this section, “recreational facility” means a commercial recreational
18 facility, a commercial athletic facility, or an amusement attraction.

19 (2) “Recreational facility” includes:

20 (i) Gymnasiums; and

21 (ii) Swimming pools.

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



1 (3) “Recreational facility” does not include:

2 (i) A lodging establishment, as defined in § 15–201 of the Business
3 Regulation Article, unless the lodging establishment owns, maintains, or operates a
4 recreational facility that is available for use by the general public; or

5 (ii) A unit of State or local government that leases land or facilities
6 to a recreational facility.

7 (b) This section does not apply to a health club services agreement, as defined in
8 § 14–12B–01 of the Commercial Law Article, for services to be rendered for an adult.

9 (c) Any provision in a contract or agreement relating to the use of [a recreational
10 facility] **AN INDOOR TRAMPOLINE PARK** that purports to limit the [recreational facility’s]
11 **INDOOR TRAMPOLINE PARK’S** liability, or release the [recreational facility] **INDOOR**
12 **TRAMPOLINE PARK** from or indemnify or hold harmless the [recreational facility]
13 **INDOOR TRAMPOLINE PARK** against liability, for injury caused by or resulting from the
14 negligence or other wrongful act of the [recreational facility] **INDOOR TRAMPOLINE PARK**
15 or its agents or on–duty employees is against public policy and is void and unenforceable.

16 [(d)] **(B)** This section may not be interpreted to affect, extend, or limit the
17 liability of a governmental entity for a tort or other claim subject to Title 12, Subtitle 1 of
18 the State Government Article or Subtitle 3 of this title.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2025.