

HOUSE BILL 550

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EMERGENCY BILL

6lr2517

By: **Delegate Martinez**

Introduced and read first time: January 27, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Violation of Constitutional Rights**
3 **(No Kings Act)**

4 FOR the purpose of establishing certain civil liability for a federal law enforcement officer
5 who, under color of law, deprives another of a right, a privilege, or an immunity
6 secured by the U.S. Constitution; applying this Act retroactively; and generally
7 relating to civil liability for the deprivation of Constitutional rights.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 3–2701 and 3–2702 to be under the new subtitle “Subtitle 27. Action for
11 Deprivation of Constitutional Rights”

12 Annotated Code of Maryland

13 (2020 Replacement Volume and 2025 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 27. ACTION FOR DEPRIVATION OF CONSTITUTIONAL RIGHTS.**

18 **3–2701.**

19 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(B) “FEDERAL LAW ENFORCEMENT OFFICER” MEANS AN OFFICER WHO**
22 **MAY:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) MAKE AN ARREST WITH OR WITHOUT A WARRANT FOR VIOLATIONS OF THE UNITED STATES CODE; AND

(2) CARRY FIREARMS IN THE PERFORMANCE OF THE OFFICER'S DUTIES.

(C) "LAW" INCLUDES:

(1) THE U.S. CONSTITUTION;

(2) THE MARYLAND DECLARATION OF RIGHTS;

(3) THE MARYLAND CONSTITUTION;

(4) THE LAWS OF THE UNITED STATES; AND

(5) THE LAWS OF MARYLAND.

3-2702.

(A) AN AGGRIEVED PARTY MAY BRING AN ACTION AGAINST A FEDERAL LAW ENFORCEMENT OFFICER WHO, UNDER COLOR OF LAW, DEPRIVES THE AGGRIEVED PARTY OR CAUSES OR ALLOWS THE AGGRIEVED PARTY TO BE DEPRIVED OF A RIGHT, A PRIVILEGE, OR AN IMMUNITY SECURED BY THE U.S. CONSTITUTION.

(B) (1) A DEFENDANT IN AN ACTION UNDER THIS SECTION MAY ASSERT A DEFENSE OF ABSOLUTE OR QUALIFIED IMMUNITY TO THE SAME EXTENT AS A PERSON SUED UNDER 42 U.S.C. § 1983 UNDER LIKE CIRCUMSTANCES.

(2) THIS SECTION MAY NOT BE CONSTRUED TO WAIVE OR ABROGATE ANY DEFENSE OF SOVEREIGN IMMUNITY OTHERWISE AVAILABLE.

(C) A COURT MAY AWARD REASONABLE FEES AND COSTS, INCLUDING ATTORNEY'S FEES AND EXPERT WITNESS FEES, TO A PREVAILING PLAINTIFF UNDER THIS SECTION.

(D) AN ACTION UNDER THIS SECTION SHALL BE FILED WITHIN 5 YEARS AFTER THE CAUSE OF ACTION ACCRUES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect any cause of action arising on or after March 1, 2025, and to any civil action pending on the date this Act becomes effective.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
2 measure, is necessary for the immediate preservation of the public health or safety, has
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to
4 each of the two Houses of the General Assembly, and shall take effect from the date it is
5 enacted.