

HOUSE BILL 722

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6lr2617

By: **Delegates Embry, Ruff, Addison, Ebersole, Grammer, Lewis, Patterson, and Stinnett**

Introduced and read first time: February 2, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Child Sexual Abuse Claims – Doctrine of Charitable Immunity – Abrogation**

3 FOR the purpose of abrogating the doctrine of charitable immunity as a defense to an action
4 for damages arising from a claim of child sexual abuse; applying this Act
5 retroactively; and generally relating to actions for damages arising out of a claim of
6 child sexual abuse.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 5–117
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2025 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 5–117.

16 (a) In this section, “sexual abuse” means any act that involves:

17 (1) An adult allowing or encouraging a child to engage in:

18 (i) Obscene photography, films, poses, or similar activity;

19 (ii) Pornographic photography, films, poses, or similar activity; or

20 (iii) Prostitution;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (2) Incest;
- 2 (3) Rape;
- 3 (4) Sexual offense in any degree; or
- 4 (5) Any other sexual conduct that is a crime.

5 (b) Except as provided under subsection (d) of this section and notwithstanding
6 any time limitation under a statute of limitations, a statute of repose, the Maryland Tort
7 Claims Act, the Local Government Tort Claims Act, or any other law, an action for damages
8 arising out of a claim or claims of sexual abuse that occurred while the victim was a minor
9 may be filed at any time.

10 (c) Except as provided in §§ 5–303 and 5–518 of this title and § 12–104 of the
11 State Government Article, the total amount of noneconomic damages that may be awarded
12 under this section to a single claimant in an action against a single defendant for injuries
13 arising from a claim or claims that would have been barred by a time limitation before
14 October 1, 2023, may not exceed:

- 15 (1) For an action filed on or before May 31, 2025, \$1,500,000; and
- 16 (2) For an action filed on or after June 1, 2025, \$700,000.

17 (d) No action for damages that would have been barred by a time limitation before
18 October 1, 2023, may be brought under this section if the alleged victim of abuse is deceased
19 at the commencement of the action.

20 (e) In any action for damages filed on or after June 1, 2025, arising out of a claim
21 or claims of sexual abuse that occurred while the claimant was a minor, counsel may not
22 charge or receive fees that exceed:

- 23 (1) 20% of the settlement; or
- 24 (2) 25% of the judgment.

25 **(F) AN ORGANIZATION IS NOT IMMUNE FROM LIABILITY IN ANY ACTION FOR**
26 **DAMAGES ARISING OUT OF A CLAIM OR CLAIMS OF SEXUAL ABUSE THAT OCCURRED**
27 **WHILE THE CLAIMANT WAS A MINOR ON THE GROUNDS THAT THE ORGANIZATION IS**
28 **A CHARITABLE ORGANIZATION.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
30 Assembly to abrogate the doctrine of charitable immunity in any action for damages arising
31 out of a claim or claims of sexual abuse that occurred while the claimant was a minor.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to
33 apply retroactively and shall be applied to and interpreted to affect any action for damages

1 arising out of a claim or claims of sexual abuse that occurred while the claimant was a
2 minor, whether the action is pending, concluded, dismissed, or arising before the effective
3 date of this Act.

4 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2026.