



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

February 23, 2023

Committee: Senate Judicial Proceedings

Bill: SB 686 – Civil Actions - Child Sexual Abuse - Definition, Damages, and Statute of Limitations (The Child Victims Act of 2023)

Position: Support with Amendment

Reason for Position:

The Maryland Municipal League supports Senate Bill 686 with amendments. As introduced, the bill would expand the definition of child sexual abuse, increase damages for victims of child sexual abuse, and extend the statute of limitations for civil actions related to child sexual abuse. While we appreciate the intent of this very important bill, local governments have several concerns about its financial ramifications.

First, this legislation removes a statute of limitations, which would expose municipalities to additional lawsuits related to allegations of child sexual abuse that occurred in the past. The extended statute of limitations allows victims to file civil actions any time, regardless of when the abuse occurred. The bill also applies retroactively. As a result, municipalities could face an increased financial burden in the form of legal fees, settlements, and damages.

This proposal also increases the cap for damages. Under the Local Government Tort Claims Act (LGTCA), the cap for damages for an individual claim is currently \$400,000. This bill would raise it to \$850,000. This is a very significant increase, especially for smaller municipalities.

MML respectfully requests removing these provisions by linking the cap to the LGTCA, restoring current reasonable limitations on local government liability for claims of sexual abuse, and applying the bill prospectively. With these changes, the League would respectfully request the Committee provide SB 686 with a favorable report.

FOR MORE INFORMATION CONTACT:

Theresa Kuhns

Angelica Bailey Thupari, Esq.

Bill Jorch

Justin Fiore

Chief Executive Officer

Director of Advocacy & Public Affairs

Director of Public Policy

Deputy Director of Advocacy & Public Affairs

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | www.mdmunicipal.org