



MARYLAND
Chamber of Commerce

LEGISLATIVE POSITION:

Unfavorable

Senate Bill 889

Civil Actions - Enforcement Actions by the Attorney General - Statutes of Limitations

Seante Judicial Proceedings Committee

Thursday, March 7, 2024

Dear Chairman Smith and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 6,800 members and federated partners working to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

Senate Bill 889 repeals the 1-year statute of limitations for a civil enforcement action brought by the Attorney General for a fine, penalty, or forfeiture and repeals the 4-year statute of limitations for a civil enforcement action brought by the Attorney General to enforce antitrust laws. This proposed legislation allows the Attorney General to bring a civil action for antitrust at any time.

The purpose of statutes of limitations is to protect defendants from unfair legal action after a significant amount of time has passed. When too much time has passed, relevant evidence may be lost and witness memories fade. As such, Senate Bill 889 stands to open companies up to potential liability going back years to a point that an employer may no longer have the necessary records or institutional knowledge to defend against. The liability concern is immense.

Finally, Maryland continues to bear the burden of perception as a state unfriendly to businesses and economic development. SB 889 increases the liability and therefore the cost of engaging in business in Maryland.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **SB 889**.

MDCHAMBER.ORG

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