



**MARYLAND**  
Chamber of Commerce

**LEGISLATIVE POSITION:**

**Unfavorable**

**Senate Bill 452**

**Courts – Prohibited Liability Agreements – Recreational Facilities**

**House Judiciary Committee**

**Wednesday, March 27, 2024**

Dear Chairman Clippinger 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.

SB 452 would prohibit “commercial recreational facilities,” including **many** Maryland small businesses, from protecting themselves from negligent claims through the use of contracts/agreements/waivers, which a business would have their customers sign to hold them harmless from liability for bodily injury.

Waivers and releases are commonly used by businesses to reduce their liability exposure and can even be required by their insurer to secure coverage. When signed by a willing and competent adult aware of the terms, these waivers are a critical part of many small business operations. Although this bill intends to focus on injuries arising from a business’s actions or negligence, there is no denying it will result in additional disputes, claims and litigation. Alongside additional disputes and litigation, it is also undeniable SB 452 will cause premiums for commercial liability insurance to rise, adding to Maryland’s already sky-high cost of doing business. Coupling the provisions in SB 452 alongside other proposed legislation such as SB 538/HB 83, which almost double the cap on noneconomic damages for personal injury suits, Maryland businesses are being made to shoulder significant cost burdens without measures to protect themselves.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **SB 452**.

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