



MARYLAND
Chamber of Commerce

LEGISLATIVE POSITION:

Unfavorable

House Bill 595

Civil Enforcement Actions Brought by the Attorney General – Statute of Limitations

House Judiciary Committee

Wednesday, February 14, 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 growth and prosperity for Maryland businesses, employees, and families.

House Bill 595 seeks to create an exception to the statute of limitations in which the Attorney General can enforce a civil antitrust action. HB 595 would move Maryland's statute out of line with federal law.

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, HB 595 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. Further, HB 595 is not prospective and therefore leaves open the question of retroactive enforcement. Could the Attorney General enforce a civil action a previous Attorney General chose not to enforce although the statute of limitations has passed? The liability concern is immense.

Finally, Maryland continues to bear the burden of perception as a state unfriendly to businesses and economic development. HB 595 increases the liability and therefore the cost of engaging in business in Maryland.

Keeping the Governor's priority of enhancing Maryland's economic competitiveness, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 595**.

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60 West Street, Suite 100, Annapolis 21401 | 410-269-0642