



191 Main Street, Suite 310 – Annapolis MD 21401 – 410-268-6871

March 25, 2024

The Honorable Luke Clippinger  
Chair, House Judiciary Committee,  
Room 101, House Office Building  
Annapolis, Maryland 21401

RE: Senate Bill 452 - Courts - Prohibited Liability Agreements - Recreational Facilities

Dear Chair Clippinger and Members of the Committee,

On behalf of the Maryland Association of Mutual Insurance Companies (MAMIC), I wish to register our opposition to Senate Bill 452.

As the Committee may know, the 12 members of MAMIC are comprised of small and medium-sized insurers, several of whom are domiciled in Maryland, and all of whom offer such products as automobile, homeowners, farmowners and business insurance throughout the State. A substantial number of the customers of MAMIC members are located in rural regions of Maryland. Unsurprisingly, the risks they insure are often related to agricultural activities. In fact, one of our MAMIC members is the largest insurer of farms in Maryland.

Judiciary Committee members are aware, we are sure, that many Maryland farmers open their properties to the public at different times during the year, for different purposes. A universal example is the annual opportunity for the public to enter a farmer's field to pick pumpkins at Halloween. That same example serves for other agricultural products as well, such as fruit.

These activities are generally performed at the risk of the participant. We hope the Committee understands that it is virtually impossible to convert a natural area into one that is without risk for persons entering upon it. One way to manage such risks is to provide the desired activity with an understanding that the participant does so at their own risk.

In reviewing the bill, we are unsure about the scope of the newly established activities for which liability limitations would be prohibited. It is frankly unrealistic to expect a farmer to assume liability for injuries occurring in the pumpkin patch or a similar area of a farm. The only way for a farmowner to manage this risk would be to no longer permit such activities. We hope such a result is not the intention of the Committee, and that you will consider clarifying, and narrowing, the reach of prohibited activities under the bill to activities for which an actual need has been demonstrated.

Sincerely,

A handwritten signature in black ink that reads 'Jeane A. Peters'.

Jeane A. Peters, President MAMIC

cc: Bryson F. Popham, P.A.