

NATALIE ZIEGLER
Legislative District 9A
Howard and Montgomery Counties

Environment and Transportation Committee



The Maryland House of Delegates
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 83
Civil Actions - Noneconomic Damages - Personal Injury and Wrongful Death

Chair Clippinger, Vice Chair Bartlett, and honorable members of the House Judiciary Committee:

Thank you for considering HB 83 - Civil Actions - Noneconomic Damages - Personal Injury and Wrongful Death. This is a victim's rights bill which I brought last year. This bill would repeal Maryland's cap on noneconomic damages for personal injury and wrongful death. To be clear, this bill does not affect the caps on damages in medical malpractice cases.

The cap dates back to 1986, when the legislature picked a number and decided that was what all victims would receive for pain and suffering, regardless of the facts of the case. In doing so, we chose to protect the perpetrator from heavy damages while denying the victim the opportunity for just compensation. Conversely, there is no cap on economic damages, which means that a corporate executive and a worker making minimum wage could sustain the same injury but receive vastly different compensation. As a result, the cap disproportionately harms women, people of color, the elderly, and the disabled, because these groups tend to earn less money and thus receive less in economic damages, which have no cap.

Caps on compensation change the incentives for companies, making negligence less expensive in many cases than responsible behavior. The existing caps on non-economic damages deny victims reasonable compensation, and wrongly put a decision that should be made by judges and juries in the hands of the legislature.

Eliminating the cap on noneconomic damages would incentivize safer conditions for Marylanders and ensure a more fair and just system for victims and their families. In repealing this outdated and unfair law, Maryland would join the majority of states, 39 of which do not have caps on noneconomic damages.

For these reasons, I respectfully ask for a favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read 'Natalie Ziegler'.

Delegate Natalie Ziegler
Howard & Montgomery Counties, District 9A