

SB 579 Senator Corderman Testimony.pdf

Uploaded by: Paul Corderman

Position: FAV

PAUL D. CORDERMAN
Legislative District 2
Frederick and Washington Counties

Budget and Taxation Committee

Subcommittees

Capital Budget

Education, Business and Administration



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

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February 11, 2025

Senate Judicial Proceedings Committee
Chair Will Smith
Vice Chair Jeff Waldstreicher
2 East Miller Senate Office Building
Annapolis, MD 21401

Testimony in Support of Senate Bill SB 579 – Local Government Tort Claims Act - Hagerstown Multi-Use Sports and Events Facility, Inc.

Chair Smith, Vice Chair Waldstreicher, & Members of the Judicial Proceedings Committee,

Thank you for the opportunity to present SB 579. This bill simply that adds the Hagerstown Multi-Use Sports & Events Facility in Washington County to the “local government” definition under the Local Government Tort Claims Act. If passed, this legislation would create equity among the other facilities of this nature throughout the state of Maryland, treating them all in the same manner.

Thank you for your consideration as I respectfully ask for a favorable report on SB 579.

Sincerely,

A handwritten signature in blue ink, appearing to read "P.D. Corderman", with a long horizontal flourish extending to the right.

Paul D. Corderman
District 2 – Washington & Frederick Counties

SB 579 Support Letter.pdf

Uploaded by: Paul Corderman

Position: FAV

**The Hagerstown Multi-Use Sports and Events Facility, Inc.
1. S. Potomac St.
Hagerstown, Maryland 21740
301-739-2015 Ext. 130**

The Honorable William C. Smith, Jr.
Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401
VIA EMAIL TO: will.smith@senate.state.md.us

Re: 2025 Senate Bill 579
The Hagerstown Multi-Use Sports and Events Facility, Inc.

Dear Senator Smith:

My name is Greg Snook and I am the President of The Hagerstown Multi-Use Sports and Events Facility, Inc. (the "Corporation"), the non-profit, 501(c)(3) tax-exempt Maryland corporation charged by the General Assembly with the ownership and operation of the new Hagerstown Multi-Use Sports and Events Facility which was constructed by the Maryland Stadium Authority pursuant to § 10-601 of the Economic Development Article as a critical economic development initiative benefitting the citizens of Washington County.

I am writing to you in strong support of Senate Bill 579, sponsored by Senator Paul D. Corderman, which would include the Corporation in the list of entities qualified as "local government" for purposes of the Local Government Tort Claims Act ("LGTCA"). The LGTCA effectively waives the assertion of a claim of common law governmental immunity in response to claims for damages from tortious acts or omissions while limiting the liability of a local government to \$400,000 per individual claim and \$800,000 per total claims arising from the same occurrence.

We estimate that the proposed statutory limitations of liability would likely reduce the Corporation's substantial insurance costs by half, and could open up additional insurance options such as the Local Government Insurance Trust, thereby providing for more stable insurance rates and predictable costs, a significant overall benefit to this publicly-funded enterprise.

Last session's identical bill, 2024 SB 849, met with unanimously favorable reception in the Judicial Proceedings Committee, and I urge your similar support this year.

Sincerely,

Gregory I. Snook
Gregory I. Snook,
President

cc: The Hon. Paul D. Corderman
paul.corderman@senate.state.md.us

MAJ Written Testimony SB 579 UNFAV LGTCA Hagerstow

Uploaded by: Chris Figueras

Position: UNF



2025 POSITION PAPER SB579

Local Government Tort Claims Act – Hagerstown Multi-Use Sports and Events Facility, Inc UNFAVORABLE

The General Assembly has waived the sovereign immunity of state and local governments – giving Marylanders a limited right to recover damages from the State or local governments whose errant workers are responsible for injuring them. The important word is the last sentence is “limited.” Under the Local Government Tort Claims Act, the local government’s liability is capped at \$400,000.00 per person, and \$800,000.00 for all the claims (if more than one person is injured by the local government employee’s negligence). In addition to capping the damages the injured can recover, the LGTCA requires that anyone presenting a claim must file notice of the claim within one year of the injury. The failure to file this notice is fatal to the right to make a claim, and the local government is not required to notify the injured that they will lose their right to compensation if they fail to file this notice.

MAJ opposes all civil damage caps. Similar to caps on non-economic damages, which limit the ability to hold wrongdoers accountable for the losses they cause, the LGTCA caps the right to compensation for losses at \$400,000.00 per person; if more than one person is injured, the local government’s liability is capped at \$800,000.

Imagine having to explain to someone who was in the University of Maryland Shock Trauma for months, and is left quadriplegic that \$400,000.00 all the available compensation? Or explaining this to a group of victims who must split up \$800,000.00? Also, it not hard to see what happens to the medical bills and lost wages the \$400,000.00 does not cover – they are paid by Medical Assistance or by health insurance. Why should the taxpayers or those with health insurance pay extra premiums to fund a sports complex?

More importantly, the same bill was heard last year, SB 849. The Fiscal Note stated: “the city itself does not own the facility. The city further advised that it does not have any connection with Hagerstown Multiuse Sports and Event Facility, Inc. Washington County also noted that it does now own the facility and is unlikely to be involved in any related lawsuit.” Imagine learning that you’ve lost your right to compensation from this private company, because you did not give the proper notice under a government tort claims act – despite the fact that you have no claim against any government?

If there is no local government involvement, there should be no local government tort claims immunity. Let this privately owned facility do what every other business owner is required to do: take reasonable precautions for its customers’ safety and ensure that any Marylanders injured by the wrongdoing of its workforce will be compensated as fairly as they would have been, had the injury happened anywhere else.

The Maryland Association for Justice urges a UNFAVORABLE Report on SB79

About Maryland Association for Justice

The Maryland Association for Justice (MAJ) represents over 1,250 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers and the education and professional development of its members.

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