

Bryson F. Popham, P.A.

Bryson F. Popham, Esq.

191 Main Street
Suite 310
Annapolis, MD 21401
www.papalaw.com

410-268-6871 (Telephone)
443-458-0444 (Facsimile)

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The Honorable Luke Clippinger
Chair, House Judiciary Committee
101 Taylor House Office Building
Annapolis, MD 21401

RE: House Bill 1099 - Civil Actions - Punitive Damage Awards – Surcharge - UNFAVORABLE

Dear Chairman Clippinger and Members of the Committee,

On behalf of the Maryland Association of Mutual Insurance Companies (MAMIC), we respectfully oppose House Bill 1099.

As you may recall, MAMIC is comprised of 12 mutual insurance companies that are headquartered in Maryland and neighboring states. Approximately one-half of our members are domiciled in Maryland, and are key contributors and employers in our local communities. Together, MAMIC members offer a wide variety of insurance products and services and provide coverage for thousands of Maryland citizens.

House Bill 1099 would make a very significant change in Maryland law with respect to the award of punitive damages. The State has a long history of case law on this subject, which operates to ensure that all damage awards, including those of punitive damages, are fairly administered. Furthermore, this bill introduces the concept of an assessment imposed by the State Court Administrator of 50% on a punitive damage award. The real purpose for this assessment is found on page 2, lines 25 and 26 of the bill, which require that the surcharge be deposited into a State fund intended to support education.

Should the General Assembly wish to examine the subject of punitive damages awards in connection with civil liability judgments, MAMIC believes the better approach is to convene a legislative study for that purpose. Respectfully, therefore, we urge an unfavorable report on House Bill 1099.

Thank you for your consideration.

A handwritten signature in black ink that reads "Bryson Popham". The signature is fluid and cursive, with the first name "Bryson" and last name "Popham" clearly legible.

Bryson Popham