

HOUSE BILL 1037

D3

0lr3127
CF 0lr3308

By: **Delegate Moon**

Introduced and read first time: February 5, 2020

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Noneconomic Damages – Personal Injury or Wrongful Death**

3 FOR the purpose of specifying that, notwithstanding any other provision of law, no
4 statutory limitation on noneconomic damages applies in certain claims or actions for
5 damages for personal injury or wrongful death that arise on or after a certain date
6 under certain circumstances; and generally relating to civil actions and noneconomic
7 damages.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 11–108.1

11 Annotated Code of Maryland

12 (2013 Replacement Volume and 2019 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – Courts and Judicial Proceedings**

16 **11–108.1.**

17 **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN ANY CLAIM OR ACTION**
18 **FOR DAMAGES FOR PERSONAL INJURY OR WRONGFUL DEATH ARISING ON OR AFTER**
19 **OCTOBER 1, 2020, NO STATUTORY LIMITATION ON NONECONOMIC DAMAGES MAY**
20 **APPLY IF THE TRIER OF FACT FINDS, BY A PREPONDERANCE OF THE EVIDENCE,**
21 **THAT THE DAMAGES RESULTED FROM ONE OR MORE WILLFUL, WANTON,**
22 **MALICIOUS, RECKLESS, OR GROSSLY NEGLIGENT ACTS OR OMISSIONS.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2020.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

