



MSBA Bill Report 1 - Litigation and ADR
(2024.01.20)
January 20, 2024

MD - HB83 [Civil Actions - Noneconomic Damages - Personal Injury and Wrongful Death](#)

Last Action: Text - First - Civil Actions - Noneconomic Damages - Personal Injury and Wrongful Death (January 10, 2024)

Primary Sponsor: Delegate Natalie Ziegler (D)

Cosponsors:

- Delegate Regina T. Boyce (D)
- Delegate Lorig Charkoudian (D)
- Delegate Jen Terrasa (D)
- Delegate Sheila Ruth (D)
- Delegate Linda Foley (D)
- Delegate Aaron M. Kaufman (D)
- Delegate Chao Wu (D)
- Delegate Malcolm Ruff (D)

Committee: Judiciary (House)

Summary:

Repealing certain limitations on noneconomic damages in civil actions for personal injury or wrongful death; and applying the Act prospectively.

MD - HB114 [Arbitration Reform for State Employees Act of 2024](#)

Last Action: Hearing 1/30 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Delegate Jazz Lewis (D)

Cosponsors:

- Delegate Jared Solomon (D)
- Delegate Kevin M. Harris (D)

Committee: Appropriations (House)

Scheduled Hearings:

Appropriations (House)

Date: January 23, 2024

Time: 2:00pm (EST)

Location: House Office Building, Room 120, Annapolis, MD

Appropriations (House)

Date: January 30, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 120, Annapolis, MD

Summary:

Altering the collective bargaining process for State employees, including by requiring the selection of a neutral arbitrator to oversee all aspects of collective bargaining, establishing a process of

arbitration in the event of impasse, and providing that certain decisions of a neutral arbitrator are advisory; requiring that each budget bill contain the appropriations necessary to implement all terms and conditions of employment in certain memoranda of understanding for the next ensuing fiscal year; etc.

Cross-filed Bill: SB188

MD - HB129 Criminal Procedure - Location Information - Exigent Circumstances (Kelsey Smith Act for Maryland)

Last Action: Hearing 1/30 at 1:00 p.m. (Judiciary) (January 16, 2024)

Primary Sponsor: Delegate Nicole A. Williams (D)

Committees:

Economic Matters (House)

Judiciary (House)

Scheduled Hearing:

Judiciary (House)

Date: January 30, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Requiring certain service providers to provide the location information for an electronic device to a law enforcement agency or public safety answering point under exigent circumstances; prohibiting a law enforcement agency from obtaining more than 48 hours of location information for an electronic device; prohibiting a person from being held civilly liable for making certain required disclosures; and requiring the Department of State Police to collect and disseminate certain information under certain circumstances.

MD - HB137 Civil Actions - Civil Immunity - Educator Intervention

Last Action: Hearing 1/31 at 1:00 p.m. (January 16, 2024)

Primary Sponsor: Delegate Robin L. Grammer, Jr. (R)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

Date: January 31, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Providing that a member of the administrative, educational, or support staff of any public, private, or parochial school, acting in an official capacity, is not civilly liable for personal injury or property damage resulting from intervention in a student altercation or other student disturbance if the staff member intervened in a reasonably prudent manner and the actions taken do not constitute grossly negligent, willful, wanton, or intentionally tortious conduct.

[MD - HB158 Courts - Prohibited Indemnity and Defense Liability Agreements](#)

Last Action: Hearing 1/31 at 1:00 p.m. (January 16, 2024)

Primary Sponsor: Delegate Jon S. Cardin (D)

Cosponsors:

Delegate Aaron M. Kaufman (D)

Delegate Cheryl E. Pasteur (D)

Delegate Kym Taylor (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

Date: January 31, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 100, Annapolis, MD

Summary:

Prohibiting a provision in a contract or agreement relating to architectural, engineering, inspecting, or surveying services that requires the promisor to defend a promisee against claims brought by a third party.

Cross-filed Bill: SB31

[MD - HB162 Courts - Prohibited Liability Agreements - Recreational Facilities](#)

Last Action: Text - First - Courts - Prohibited Liability Agreements - Recreational Facilities (January 10, 2024)

Primary Sponsor: Delegate Jon S. Cardin (D)

Cosponsor: Delegate David Moon (D)

Committee: Judiciary (House)

Summary:

Establishing that a provision in a contract or agreement relating to the use of a recreational facility that purports to limit the recreational facility's liability, or release the recreational facility from or indemnify or hold harmless the recreational facility against liability, for injury caused by or resulting

from the negligence or other wrongful acts of the recreational facility or its agents or employees is void and unenforceable under certain circumstances.

MD - HB181 Failure to Pay Rent Proceedings - Prohibition on Rent Increases and Shielding of Court Records

Last Action: Text - First - Failure to Pay Rent Proceedings - Prohibition on Rent Increases and Shielding of Court Records (January 10, 2024)

Primary Sponsor: Delegate Terri L. Hill (D)

Cosponsors:

Delegate Jen Terrasa (D)

Delegate Sheila Ruth (D)

Committees:

Judiciary (House)

Environment and Transportation (House)

Summary:

Prohibiting a landlord from increasing a tenant's rent because a judgment was entered against the tenant in a failure to pay rent action; requiring the District Court to shield all court records within 60 days after the final resolution of a failure to pay rent proceeding under certain circumstances; requiring the District Court to shield all court records relating to a failure to pay rent proceeding, on motion by a tenant, under certain circumstances; requiring the Maryland Judiciary to publish a certain form; etc.

Cross-filed Bill: SB19

MD - HB206 Education - Student Behavior - Parent and Guardian Notice and Required Counseling (Parent and Guardian Accountability Act)

Last Action: Hearing 1/31 at 1:00 p.m. (January 16, 2024)

Primary Sponsor: Delegate Robert B. Long (R)

Committee: Ways and Means (House)

Scheduled Hearing:

Ways and Means (House)

Date: January 31, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 130, Annapolis, MD

Summary:

Establishing that it is unlawful for a parent or guardian of a student in a public school to fail to seek and participate in counseling with the parent's or guardian's child after receiving a certain notice of

violent and disruptive behavior; and requiring a public school principal to provide a certain written notice to the parent or guardian of a student who engages in two or more incidents of violent and disruptive behavior on school premises or during school-related activities during the school year.

MD - HB309 Cooperative Housing Corporations - Dispute Settlement

Last Action: Hearing 2/13 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Delegate Anne Healey (D)

Committee: Environment and Transportation (House)

Scheduled Hearing:

Environment and Transportation (House)

Date: February 13, 2024

Time: 1:00pm (EST)

Location: House Office Building, Room 250, Annapolis, MD

Summary:

Altering procedures for the dispute settlement mechanism under the Maryland Cooperative Housing Corporation Act; and applying the Act prospectively.

Cross-filed Bill: SB15

MD - HB330 Courts - Strategic Lawsuits Against Public Participation

Last Action: Text - First - Courts - Strategic Lawsuits Against Public Participation (January 17, 2024)

Primary Sponsor: Delegate Samuel I. Rosenberg (D)

Cosponsors:

Delegate Jon S. Cardin (D)

Delegate Aaron M. Kaufman (D)

Committee: Judiciary (House)

Summary:

Altering the conditions under which a lawsuit is considered a strategic lawsuit against public participation (SLAPP suit); altering the conditions under which a defendant in a SLAPP suit is not civilly liable for certain communications; establishing certain standards and requirements relating to a motion to dismiss an alleged SLAPP suit; and applying the Act prospectively.

MD - HB338 Criminal Procedure Facial Recognition Technology Requirements, Procedures, and Prohibitions

Last Action: Text - First - Criminal Procedure Facial Recognition Technology Requirements, Procedures, and Prohibitions (January 17, 2024)

Primary Sponsor: Delegate David Moon (D)

Cosponsors:

Delegate Robin L. Grammer, Jr. (R)
Delegate Lauren Arikan (R)
Delegate J. Sandy Bartlett (D)
Delegate Jon S. Cardin (D)
Delegate Nicole A. Williams (D)
Delegate Rachel Munoz (R)
Delegate Chris Tomlinson (R)

Committee: Judiciary (House)

Summary:

Establishing requirements, procedures, and prohibitions relating to the use of facial recognition technology by a law enforcement agency under certain circumstances; requiring the Department of Public Safety and Correctional Services to develop and administer a training program regarding the use of facial recognition technology in the course of criminal investigations by June 30, 2026; requiring a law enforcement agency using or contracting to use facial recognition technology to prepare and publish a certain annual report by February 1; etc.

Cross-filed Bill: SB182

MD - HB350 Budget Bill (Fiscal Year 2025)

Last Action: Text - First - Budget Bill (Fiscal Year 2025) (January 17, 2024)

Primary Sponsor: Speaker

Committee: Appropriations (House)

Summary:

Making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2025, in accordance with Article III, Section 52 of the Maryland Constitution; etc.

Cross-filed Bill: SB360

MD - HB392 Evidence - Wiretapping and Electronic Surveillance - Fair Housing Testing

Last Action: Text - First - Evidence - Wiretapping and Electronic Surveillance - Fair Housing Testing (January 17, 2024)

Primary Sponsor: Delegate Vaughn Stewart (D)

Cosponsor: Delegate Caylin Young (D)

Committee: Judiciary (House)

Summary:

Providing that it is lawful for a person to intercept a wire, oral, or electronic communication if the person is working as a fair housing tester for a fair housing testing program operated by the federal government, the State, a local government, or a nonprofit civil rights organization under certain circumstances.

Cross-filed Bill: SB57

MD - HB429 Maryland Historical Trust - Arbitration

Last Action: Text - First - Maryland Historical Trust - Arbitration (January 18, 2024)

Primary Sponsor: Delegate Dalya Attar (D)

Committee: Environment and Transportation (House)

Summary:

Authorizing arbitration for disputes regarding certain applications for a certain permit, grant, tax credit, or authorization for a change or alteration of property subject to a certain historic easement.

Cross-filed Bill: SB43

MD - SB15 Cooperative Housing Corporations - Dispute Settlement

Last Action: Hearing 2/08 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Chris West (R)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 8, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Altering procedures for the dispute settlement mechanism under the Maryland Cooperative Housing Corporation Act; and applying the Act prospectively.

Cross-filed Bill: HB309

MD - SB19 Failure to Pay Rent Proceedings - Prohibition on Rent Increases and Shielding of Court Records

Last Action: Hearing 1/30 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Charles E. Sydnor, III (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: January 30, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Prohibiting a landlord from increasing a tenant's rent because a judgment was entered against the tenant in a failure to pay rent action; requiring the District Court to shield all court records within 60 days after the final resolution of a failure to pay rent proceeding under certain circumstances; requiring the District Court to shield all court records relating to a failure to pay rent proceeding, on motion by a tenant, under certain circumstances; requiring the Maryland Judiciary to publish a certain form; etc.

Cross-filed Bill: HB181

[MD - SB24 Consumer Protection - Retail Sales - Return and Exchange Policy \(Right to Refund Information Act\)](#)

Last Action: Hearing 1/31 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Cheryl C. Kagan (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

Date: January 31, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 3, Annapolis, MD

Summary:

Requiring, before the completion of certain retail sales transactions, that merchants provide to consumers notice of the merchants' refund and exchange policies or policies of no refunds or exchanges by conspicuously displaying a certain notice; and making a violation of the Act an unfair, deceptive, or abusive trade practice that is subject to enforcement and penalties under the Maryland Consumer Protection Act.

[MD - SB31 Courts - Prohibited Indemnity and Defense Liability Agreements](#)

Last Action: Hearing 2/08 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Chris West (R)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 8, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Prohibiting a provision in a contract or agreement relating to architectural, engineering, inspecting, or surveying services that requires the promisor to defend a promisee against claims brought by a third party.

Cross-filed Bill: HB158

MD - SB43 [Maryland Historical Trust - Arbitration](#)

Last Action: Hearing 1/31 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Senator Antonio Hayes (D)

Committee: Budget and Taxation (Senate)

Scheduled Hearing:

Budget and Taxation (Senate)

Date: January 31, 2024

Time: 1:00pm (EST)

Location: West Miller Senate Building, Room 3, Annapolis, MD

Summary:

Authorizing arbitration for disputes regarding certain applications for a certain permit, grant, tax credit, or authorization for a change or alteration of property subject to a certain historic easement.

Cross-filed Bill: HB429

MD - SB57 [Evidence - Wiretapping and Electronic Surveillance - Fair Housing Testing](#)

Last Action: Hearing 1/30 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Charles E. Sydnor, III (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: January 30, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Providing that it is lawful for a person to intercept a wire, oral, or electronic communication if the person is working as a fair housing tester for a fair housing testing program operated by the federal government, the State, a local government, or a nonprofit civil rights organization under certain circumstances.

Cross-filed Bill: HB392

[MD - SB182 Criminal Procedure - Facial Recognition Technology - Requirements, Procedures, and Prohibitions](#)

Last Action: Hearing 2/07 at 2:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Charles E. Sydnor, III (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 7, 2024

Time: 2:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Establishing requirements, procedures, and prohibitions relating to the use of facial recognition technology by a law enforcement agency under certain circumstances; requiring the Department of Public Safety and Correctional Services to develop and administer a training program regarding the use of facial recognition technology in the course of criminal investigations by June 30, 2026; requiring a law enforcement agency using or contracting to use facial recognition technology to prepare and publish a certain annual report by February 1; etc.

Cross-filed Bill: HB338

[MD - SB188 Arbitration Reform for State Employees Act of 2024](#)

Last Action: Text - First - Arbitration Reform for State Employees Act of 2024 (January 10, 2024)

Primary Sponsor: Senator Cory V. McCray (D)

Committees:

Budget and Taxation (Senate)

Finance (Senate)

Summary:

Altering the collective bargaining process for State employees, including by requiring the selection of a neutral arbitrator to oversee all aspects of collective bargaining, establishing a process of

arbitration in the event of impasse, and providing that certain decisions of a neutral arbitrator are advisory; requiring that each budget bill contain the appropriations necessary to implement all terms and conditions of employment in certain memoranda of understanding for the next ensuing fiscal year; etc.

Cross-filed Bill: HB114

MD - SB280 Notarial Acts - Protest Form Requirement - Repeal

Last Action: Hearing 2/06 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Chair, Judicial Proceedings Committee

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 6, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Repealing the requirement that a notary public use a certain protest form.

MD - SB312 Public Information Act - Personnel Records of Elected Officials and Joint Ethics Committee Records

Last Action: Hearing 1/25 at 2:00 p.m. (January 17, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Education, Energy, and the Environment (Senate)

Scheduled Hearings:

Education, Energy, and the Environment (Senate)

Date: January 25, 2024

Time: 1:00pm (EST)

Location: West Miller Senate Building, Room 2, Annapolis, MD

Education, Energy, and the Environment (Senate)

Date: January 25, 2024

Time: 2:00pm (EST)

Location: West Miller Senate Building, Room 2, Annapolis, MD

Summary:

Establishing that certain records of elected officials are not personnel records for the purposes of inspection under the Public Information Act; and establishing that certain records of the State Ethics

Commission and Joint Committee on Legislative Ethics are available for public inspection under certain circumstances.

MD - SB313 Maryland Wiretap and Electronic Surveillance Reform Workgroup

Last Action: Hearing canceled (January 18, 2024)

Primary Sponsor: Senator William G. Folden (R)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 1, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Establishing the Maryland Wiretap and Electronic Surveillance Reform Workgroup to study the effectiveness of Maryland's wiretapping and electronic surveillance laws, examine current technologies, and examine ways to make certain audio and visual recordings more available; and requiring the Workgroup to report its final findings and recommendations regarding revisions to Maryland's wiretapping and electronic surveillance laws to the Governor and General Assembly on or before December 1, 2025.

MD - SB314 Juvenile Law - Willful Misconduct of a Minor - Civil Liability of a Parent, Legal Guardian, or Custodian (Parental Accountability Act)

Last Action: Hearing 2/13 at 1:00 p.m. (January 15, 2024)

Primary Sponsor: Senator Joanne C. Benson (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 13, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Establishing the joint and several civil liability of a parent, guardian, or custodian of a minor who commits an act of willful misconduct that results in the death or injury of an individual or damage to property, subject to a certain exception; requiring the Administrative Office of the Courts to periodically adjust and publish certain maximum liability amounts; and limiting the liability of an insurance provider under the Act.

[MD - SB379 Task Force to Study Crime Classification - Renaming, Membership, and Duties](#)

Last Action: Hearing 2/01 at 1:00 p.m. (January 18, 2024)

Primary Sponsor: Senator Chris West (R)

Cosponsors:

Senator Katherine Klausmeier (D)

Senator Mary Beth Carozza (R)

Senator Ron Watson (D)

Senator Mary-Dulany James (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

Date: February 1, 2024

Time: 1:00pm (EST)

Location: East Miller Senate Building, Room 2, Annapolis, MD

Summary:

Extending the Task Force to Study Crime Classification and renaming it the Task Force to Study Crime Reclassification and Penalties; requiring the Task Force to study and make recommendations regarding the penalties for crimes and civil offenses under State law, the potential need for reclassification of certain crimes, the alteration of penalties, and whether certain changes should be made to crimes lacking an explicit mens rea; etc.