



# **MSBA Bill Report 4B - Litigation and ADR (2024.02.09)**

**February 9, 2024**

**MD - HB1019 Mental Health Law - Petitions for Emergency Evaluation**

Last Action: Hearing 2/28 at 1:00 p.m. (Health and Government Operations) (February 9, 2024)

Primary Sponsor: Delegate Tiffany T. Alston (D)

Committees:

Health and Government Operations (House)

Judiciary (House)

Scheduled Hearing:

Health and Government Operations (House)

**Date:** February 28, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 240, Annapolis, MD

Summary:

Specifying that a petition for emergency evaluation is effective for 5 days after being endorsed by the court; authorizing a court, for good cause shown, to extend a petition for an additional 5 days; and authorizing peace officers to use reasonable and necessary force when executing a petition.

Statutes Amended:

10-623,

10-624 Article - Health - General

**MD - HB1047 Consumer Protection Self-Administered Sexual Assault Evidence Collection Kits**

Last Action: Text - First - Consumer Protection Self-Administered Sexual Assault Evidence Collection Kits (February 7, 2024)

Primary Sponsor: Delegate J. Sandy Bartlett (D)

Committee: Judiciary (House)

Scheduled Hearing:

Judiciary (House)

**Date:** February 20, 2024

**Time:** 1:00pm (EST)

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

Summary:

Providing that a party in a criminal trial involving an allegation of a sexual crime may not introduce evidence that physical evidence of a sexual crime was obtained using certain materials; providing that selling, offering for sale, or distributing a certain self-administered sexual assault evidence collection kit is an unfair, deceptive, or abusive trade practice; establishing the Forensic Nurse Examiner Training Grant Program; and establishing the Forensic Nurse Examiner Training Grant Program Fund as a special, nonlapsing fund.

Cross-filed Bill: SB949

Statutes Amended:

10-925 Article - Courts and Judicial Proceedings  
13-301,  
14-4601 through 14-4604 Article - Commercial Law

**MD - HB1063 Criminal Organizations - Criminal Prohibitions, Civil Actions, and Forfeiture**

Last Action: Text - First - Criminal Organizations - Criminal Prohibitions, Civil Actions, and Forfeiture (February 7, 2024)

Primary Sponsor: Delegate Nicole A. Williams (D)

Committee: Judiciary (House)

Summary:

Establishing the statute of limitations for a certain civil action for damages resulting from certain participation in a criminal organization; altering certain definitions of "criminal organization" and "underlying crime"; authorizing the filing of and establishing procedures for a civil action for injunctive relief and damages arising out of certain participation in a criminal organization; and establishing procedures for the forfeiture of property connected to certain participation in a criminal organization.

Cross-filed Bill: SB1111

Statutes Amended:

13-601 through 13-637 Article - Criminal Procedure  
5-122 Article - Courts and Judicial Proceedings  
9-801,  
9-804,  
9-808, 9-901 through 9-907 Article - Criminal Law

**MD - HB1079 Courts and Judicial Proceedings - Jury Examination**

Last Action: Text - First - Courts and Judicial Proceedings - Jury Examination (February 7, 2024)

Primary Sponsor: Delegate N. Scott Phillips (D)

Committee: Judiciary (House)

Summary:

Specifying the purpose of jury examination in any State court is to identify and remove prospective jurors who are unable to serve fairly and impartially, and allow the parties to obtain information that may provide guidance for the use of peremptory challenges and challenges for cause.

Cross-filed Bill: SB827

Statutes Amended:

8-423 Article - Courts and Judicial Proceedings

[MD - HB1146 Courts - Unenforceable Indemnity and Costs of Defense Agreements](#)

Last Action: Text - First - Courts - Unenforceable Indemnity and Costs of Defense Agreements (February 7, 2024)

Primary Sponsor: Delegate Dana Stein (D)

Committee: Judiciary (House)

Summary:

Providing that certain indemnity agreements and agreements to pay the costs of defense made in connection with an agreement for the management or operation of a building, a structure, an appurtenance, or an appliance are against public policy and are void and unenforceable.

Statutes Amended:

5-401 Article - Courts and Judicial Proceedings

[MD - HB1156 Commercial Law - Consumer Wire Transfers - Liability \(Elder Fraud Prevention Act of 2024\)](#)

Last Action: Text - First - Commercial Law - Consumer Wire Transfers - Liability (Elder Fraud Prevention Act of 2024) (February 8, 2024)

Primary Sponsor: Delegate Vaughn Stewart (D)

Committee: Economic Matters (House)

Scheduled Hearing:

Economic Matters (House)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 230, Annapolis, MD

Summary:

Exempting consumer wire transaction from certain provisions of the Maryland Uniform Commercial Code; limiting liability for damages resulting from consumer wire transfers; defining sufficient notice; requiring investigations; requiring decisions and materials be provided to a consumer; subjecting financial institutions to treble damages; subjecting financial institutions to liability for violation of the Act; prohibiting waiver of consumer rights under the Act; etc.

Cross-filed Bill: SB930

Statutes Amended:

12-1501 through 12-1507,

4A-102,

4A-108 Article - Commercial Law

[MD - HB1182 Commercial Law - Maryland Antitrust Act - Enforcement Remedies](#)

Last Action: Text - First - Commercial Law - Maryland Antitrust Act - Enforcement Remedies (February 8, 2024)

Primary Sponsor: Chair, Economic Matters Committee

Committee: Economic Matters (House)

Scheduled Hearing:

Economic Matters (House)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 230, Annapolis, MD

Summary:

Altering the definition of "restitution" to include disgorgement in certain provisions relating to remedies under the Maryland Antitrust Act.

Statutes Amended:

11-209 Article - Commercial Law

### **MD - HB1255 Labor and Employment - Automated Employment Decision Tools - Prohibition**

Last Action: Hearing 3/06 at 1:00 p.m. (February 9, 2024)

Primary Sponsor: Delegate J. Sandy Bartlett (D)

Committee: Economic Matters (House)

Scheduled Hearing:

Economic Matters (House)

**Date:** March 6, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 230, Annapolis, MD

Summary:

Prohibiting, subject to a certain exception, an employer from using an automated employment decision tool to make certain employment decisions; and requiring an employer, under certain circumstances, to notify an applicant for employment of the employer's use of an automated employment decision tool within 30 days after the use; and providing certain penalties per violation for an employer that violates the notification requirement of the Act.

Cross-filed Bill: SB957

Statutes Amended:

3-718 Article - Labor and Employment

### **MD - HB1257 Public Schools - Restorative Practices Schools - Establishment**

Last Action: Hearing 2/28 at 1:00 p.m. (February 9, 2024)

Primary Sponsor: Delegate Cheryl E. Pasteur (D)

Committee: Ways and Means (House)

Scheduled Hearing:

Ways and Means (House)

**Date:** February 28, 2024

**Time:** 1:00pm (EST)

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

Summary:

Altering the duties of behavioral health services coordinators and the Maryland Consortium on Coordinated Community Supports regarding duties related to implementing Restorative Practices Schools throughout the State; requiring the State Department of Education to develop a comprehensive plan to implement requirements for the establishment of Restorative Practices Schools; and requiring the Department to annually report to the General Assembly on the implementation of Restorative Practices Schools beginning December 1, 2026.

Cross-filed Bill: SB917

Statutes Amended:

7-447,

7-447.1,

7-452 Article - Education

[\*\*MD - HB1271\*\* Information Technology - Artificial Intelligence - Policies and Procedures \(Artificial Intelligence Governance Act of 2024\)](#)

Last Action: Text - First - Information Technology - Artificial Intelligence - Policies and Procedures (Artificial Intelligence Governance Act of 2024) (February 8, 2024)

Primary Sponsor: Delegate Jazz Lewis (D)

Committee: Health and Government Operations (House)

Summary:

Requiring each unit of State government to conduct certain inventories and assessments; requiring the Department of Information Technology to conduct certain monitoring and adopt certain policies and procedures; prohibiting a unit of State government from implementing or using a system that employs artificial intelligence under certain circumstances; establishing the Governor's Artificial Intelligence Subcabinet of the Governor's Executive Council; allowing the Governor to appropriate up to \$3,000,000 annually for the Subcabinet; etc.

Cross-filed Bill: SB818

Statutes Amended:

12-101,

13-116,

3.5-101,

3.5-301,

3.5-303,

3.5-318, 3.5-801 through 3.5-809 Article - State Finance and Procurement

**MD - HB1275 Vehicle Laws Manufacturers and Dealers Standing of Dealer Associations**

Last Action: Text - First - Vehicle Laws Manufacturers and Dealers Standing of Dealer Associations (February 8, 2024)

Primary Sponsor: Delegate Marlon Amprey (D)

Committee: Economic Matters (House)

Scheduled Hearing:

Economic Matters (House)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 230, Annapolis, MD

Summary:

Authorizing a vehicle dealer association, on behalf of itself, a vehicle dealer, or a group of vehicle dealers, to bring suit to recover damages and reasonable attorneys' fees or to request an administrative hearing on certain matters.

Cross-filed Bill: SB968

Statutes Amended:

15-201,

15-213,

15-214 Article - Transportation

**MD - HB1299 Consumer Protection - Maryland Consumer Protection Act - Trade or Commerce Violations**

Last Action: Hearing 3/05 at 1:00 p.m. (February 9, 2024)

Primary Sponsor: Chair, Economic Matters Committee

Committee: Economic Matters (House)

Scheduled Hearing:

Economic Matters (House)

**Date:** March 5, 2024

**Time:** 1:00pm (EST)

**Location:** House Office Building, Room 230, Annapolis, MD

Summary:

Altering the applicability of the Maryland Consumer Protection Act to include certain unfair, abusive, or deceptive trade practices in trade or commerce, including any economic activity within the State that involves or relates to any commodity or service.

Statutes Amended:

13-101,

13-301,

13-303,

13-401 Article - Commercial Law

**MD - SB912 Courts - Immunity From Liability - Maryland Safe Haven Program**

Last Action: Hearing 2/29 at 1:00 p.m. (February 7, 2024)

Primary Sponsor: Senator Mike McKay (R)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 29, 2024

**Time:** 1:00pm (EST)

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

Summary:

Altering, clarifying, and expanding certain provisions of law relating to the immunity from liability of a parent who leaves an unharmed newborn with a responsible adult under certain circumstances; requiring the Secretary of Human Services to develop, implement, and maintain a public information program to inform the public about the Maryland Safe Haven Program; and requiring the Secretary of Human Services to annually submit a report to the General Assembly about the Maryland Safe Haven Program beginning December 31, 2025.

Statutes Amended:

5-641 Article - Courts and Judicial Proceedings

**MD - SB917 Public Schools Restorative Practices Schools Establishment**

Last Action: Hearing 3/06 at 1:00 p.m. (February 8, 2024)

Primary Sponsor: Senator Benjamin Brooks (D)

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

Scheduled Hearing:

Education, Energy, and the Environment (Senate)

**Date:** March 6, 2024

**Time:** 1:00pm (EST)

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

Summary:

Altering the duties of behavioral health services coordinators and the Maryland Consortium on Coordinated Community Supports regarding duties related to implementing Restorative Practices



Schools throughout the State; requiring the State Department of Education to develop a comprehensive plan to implement requirements for the establishment of Restorative Practices Schools; and requiring the Department to annually report to the General Assembly on the implementation of Restorative Practices Schools beginning December 1, 2026.

Cross-filed Bill: HB1257

Statutes Amended:

7-447,

7-447.1,

7-452 Article - Education

**MD - SB930 Commercial Law Consumer Wire Transfers Liability (Elder Fraud Prevention Act of 2024)**

Last Action: Hearing 3/06 at 1:00 p.m. (February 6, 2024)

Primary Sponsor: Senator Jim Rosapepe (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

**Date:** March 6, 2024

**Time:** 1:00pm (EST)

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

Summary:

Exempting consumer wire transaction from certain provisions of the Maryland Uniform Commercial Code; limiting liability for damages resulting from consumer wire transfers; defining sufficient notice; requiring investigations; requiring decisions and materials be provided to a consumer; subjecting financial institutions to treble damages; subjecting financial institutions to liability for violation of the Act; prohibiting waiver of consumer rights under the Act; etc.

Cross-filed Bill: HB1156

Statutes Amended:

12-1501 through 12-1507,

4A-102,

4A-108 Article - Commercial Law

**MD - SB949 Consumer Protection - Self-Administered Sexual Assault Evidence Collection Kits**

Last Action: Hearing 2/27 at 1:00 p.m. (Judicial Proceedings) (February 7, 2024)

Primary Sponsor: Senator Shelly Hettleman (D)

Committees:

Finance (Senate)

Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** February 27, 2024

**Time:** 1:00pm (EST)

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

Summary:

Providing that a party in a criminal trial involving an allegation of a sexual crime may not introduce evidence that physical evidence of a sexual crime was obtained using certain materials; providing that selling, offering for sale, or distributing a certain self-administered sexual assault evidence collection kit is an unfair, deceptive, or abusive trade practice; establishing the Forensic Nurse Examiner Training Grant Program; and establishing the Forensic Nurse Examiner Training Grant Program Fund as a special, nonlapsing fund.

Cross-filed Bill: HB1047

Statutes Amended:

10-925 Article - Courts and Judicial Proceedings

13-301,

14-4601 through 14-4604 Article - Commercial Law

**MD - SB957 Labor and Employment Automated Employment Decision Tools Prohibition**

Last Action: Hearing 3/14 at 1:00 p.m. (February 9, 2024)

Primary Sponsor: Senator Katie Fry Hester (D)

Committee: Finance (Senate)

Scheduled Hearing:

Finance (Senate)

**Date:** March 14, 2024

**Time:** 1:00pm (EDT)

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

Summary:

Prohibiting, subject to a certain exception, an employer from using an automated employment decision tool to make certain employment decisions; and requiring an employer, under certain circumstances, to notify an applicant for employment of the employer's use of an automated employment decision tool within 30 days after the use; and providing certain penalties per violation for an employer that violates the notification requirement of the Act.

Cross-filed Bill: HB1255

Statutes Amended:

3-718 Article - Labor and Employment

**[MD - SB968 Vehicle Laws - Manufacturers and Dealers - Standing of Dealer Associations](#)**

Last Action: Hearing 3/06 at 1:00 p.m. (February 7, 2024)

Primary Sponsor: Senator Jeff Waldstreicher (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** March 6, 2024

**Time:** 1:00pm (EST)

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

Summary:

Authorizing a vehicle dealer association, on behalf of itself, a vehicle dealer, or a group of vehicle dealers, to bring suit to recover damages and reasonable attorneys' fees or to request an administrative hearing on certain matters.

Cross-filed Bill: HB1275

Statutes Amended:

15-201,

15-213,

15-214 Article - Transportation

**[MD - SB1031 Civil Actions - Lead Poisoning - Liability and Statute of Limitations \(Maryland Lead Poisoning Compensation Act\)](#)**

Last Action: Text - First - Civil Actions - Lead Poisoning - Liability and Statute of Limitations (Maryland Lead Poisoning Compensation Act) (February 7, 2024)

Primary Sponsor: Senator Jill P. Carter (D)

Committee: Judicial Proceedings (Senate)

Scheduled Hearing:

Judicial Proceedings (Senate)

**Date:** March 7, 2024

**Time:** 1:00pm (EST)

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

Summary:

Establishing that an action against the owner or manager of certain property to recover certain damages arising from injuries suffered as a result of lead poisoning may be filed at any time; establishing strict liability for the owner or manager of a property with lead-based paint hazards resulting in lead poisoning of another; establishing that limitations on certain damages awarded to a prevailing plaintiff do not apply to a claim under the Act; etc.

Statutes Amended:

11-108,

5-122,

5-303,

5-518 Article - Courts and Judicial Proceedings

12-104 Article - State Government

**MD - SB1111 Criminal Organizations - Criminal Prohibitions, Civil Actions, and Forfeiture**

Last Action: Text - First - Criminal Organizations - Criminal Prohibitions, Civil Actions, and Forfeiture (February 4, 2024)

Primary Sponsor: Senator C. Anthony Muse (D)

Committee: Rules (Senate)

Summary:

Establishing the statute of limitations for a certain civil action for damages resulting from certain participation in a criminal organization; altering certain definitions of "criminal organization" and "underlying crime"; authorizing the filing of and establishing procedures for a civil action for injunctive relief and damages arising out of certain participation in a criminal organization; and establishing procedures for the forfeiture of property connected to certain participation in a criminal organization.

Cross-filed Bill: HB1063

Statutes Amended:

13-601 through 13-637 Article - Criminal Procedure

5-122 Article - Courts and Judicial Proceedings

9-801,

9-804,

9-808, 9-901 through 9-907 Article - Criminal Law

**MD - SB1113 Commercial Law - Consumer Protection - Event Ticket Sales**

Last Action: Text - First - Commercial Law - Consumer Protection - Event Ticket Sales (February 5, 2024)

Primary Sponsor: Senator Stephen S. Hershey, Jr. (R)

Committee: Rules (Senate)

Summary:

Requiring an operator, a primary ticket seller, or a ticket resale marketplace for an entertainment event to grant a ticket purchaser a refund for the purchase of a ticket under certain circumstances; prohibiting a person from engaging in certain practices relating to the sale of event tickets; prohibiting a contract that controls the distribution of event tickets from including certain provisions; etc.

Statutes Amended:

13-310.2 Article - Commercial Law