

SECTION 4. AND BE IT FURTHER ENACTED, That this Act [[is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage]] shall take effect June 1, 1975.

Approved April 29, 1975.

CHAPTER 545

(Senate Bill 1055)

AN ACT concerning

Statute of Limitations - Medical Malpractice

FOR the purpose of providing the statute of limitations for actions based on malpractice by physicians.

BY adding to

Article - Courts and Judicial Proceedings
Section 5-109
Annotated Code of Maryland
(1974 Volume and 1974 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 5-109 be and it is hereby added to Article - Courts and Judicial Proceedings, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) to read as follows:

Article - Courts and Judicial Proceedings

5-109.

AN ACTION FOR DAMAGES FOR AN INJURY ARISING OUT OF THE RENDERING OF OR FAILURE TO RENDER PROFESSIONAL SERVICES BY A PHYSICIAN SHALL BE FILED (1) WITHIN [[EIGHT]] FIVE YEARS OF THE TIME THE INJURY WAS COMMITTED OR (2) WITHIN [[ONE YEAR]] THREE YEARS OF THE DATE WHEN THE INJURY WAS DISCOVERED, WHICHEVER IS THE SHORTER. IN NO EVENT SHALL THIS TIME RUN AGAINST A MINOR UNTIL HE HAS ATTAINED MAJORITY.