

CHAPTER 309

(Senate Bill 430)

AN ACT concerning

Community Associations - Civil Liability

FOR the purpose of altering the definition of "community association" for purposes of certain provisions of law that limit the civil liability of certain community associations and their agents under certain circumstances; providing for the application of this Act; and generally relating to limiting the civil liability of certain community associations and their agents.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 5-406(a)

Annotated Code of Maryland

(2002 Replacement Volume and 2004 Supplement)

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

Article - Courts and Judicial Proceedings

5-406.

(a) (1) In this section the following words have the meanings indicated.

(2) (i) "Agent of an association or organization" means a director, officer, trustee, employee, or volunteer of an association or organization who provides services or performs duties on behalf of the association or organization.

(ii) "Agent of an association or organization" does not include an independent contractor who provides services or performs duties on behalf of the association or organization on a contractual basis.

(3) "Association or organization" means:

(i) An athletic club;

(ii) A charitable organization;

(iii) A civic league or organization;

(iv) A community association;

(v) A cooperative housing corporation as that term is defined under § 5-6B-01 of the Corporations and Associations Article;

(vi) A council of unit owners of a condominium as that term is defined in § 11-101 of the Real Property Article; or