

**House Bill No. 404**

AN ACT concerning

**Courts - Certificate of Merit - Licensed Professional**

FOR the purpose of specifying that a certain requirement of filing a certificate of a qualified expert in certain malpractice claims applies to claims filed in a United States District Court; applying a certain requirement of filing a certificate of ~~merit~~ a qualified expert in certain malpractice claims ~~brought in certain courts against licensed professionals~~ to a claim against the employer, partnership, or ~~certain other~~ entity ~~for whom the~~ through which a licensed professional performs certain services; altering a certain definition; providing for the construction and application of this Act; and generally relating to malpractice claims against certain licensed professionals.

BY repealing and reenacting, with amendments,  
Article - Courts and Judicial Proceedings  
Section ~~3-2C-01~~ and 3-2C-02(a)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2004 Supplement)

~~BY repealing and reenacting, without amendments,  
Article - Courts and Judicial Proceedings  
Section 3-2C-02(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**

3-2C-01.

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

(b) "Claim" means a civil action, including an original claim, counterclaim, cross-claim, or third-party claim, originally filed in A circuit court OR UNITED STATES DISTRICT COURT against a licensed professional OR THE EMPLOYER, PARTNERSHIP, OR OTHER ENTITY THROUGH WHICH THE LICENSED PROFESSIONAL PERFORMED PROFESSIONAL SERVICES that is based on the licensed professional's alleged negligent act or omission in rendering professional services, within the scope of the professional's license, permit, or certificate, for others.

(c) "Licensed professional" means:

(1) An architect licensed under Title 3 of the Business Occupations and Professions Article;