

(5) A professional land surveyor or property line surveyor licensed under Title 15 of the Business Occupations and Professions Article.

(d) (1) "Qualified expert" means an individual who is a licensed professional, or comparably licensed or certified professional under the laws of another jurisdiction, knowledgeable in the accepted standard of care in the same discipline as the licensed professional against whom a claim is filed.

(2) "Qualified expert" does not include:

(i) A party to the claim;

(ii) An employee or partner of a party;

(iii) An employee or stockholder of a professional corporation of which a party is a stockholder; or

(iv) A person having a financial interest in the outcome of the claim.

3-2C-02.

(a) (1) Except as provided in subsections (b) and (c) of this section, a claim shall be dismissed, without prejudice, if the claimant fails to file a certificate of a qualified expert with the court.

(2) A certificate of a qualified expert shall:

(i) Contain a statement from a qualified expert attesting that the licensed professional ~~against whom the claim is filed~~ failed to meet an applicable standard of professional care;

(ii) Subject to the provisions of subsections (b) and (c) of this section, be filed within 90 days after the claim is filed; and

(iii) Be served on all other parties to the claim or the parties' attorneys of record in accordance with the Maryland Rules.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to extend or otherwise modify any applicable statute of limitation or statute of repose.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any claim filed before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2005.

Approved April 26, 2005.