

Article - Courts and Judicial Proceedings
 Section 5-306
 Annotated Code of Maryland
 (1984 Replacement Volume and 1984 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

5-306.

(a) Except as provided in subsection (c) of this section, no action for unliquidated damages for an injury to a person or his property may be brought against a county or municipal corporation unless the notice of the claim required by this section is given within 180 days after the injury.

(b) (1) [The] EXCEPT IN ANNE ARUNDEL COUNTY AND BALTIMORE COUNTY, THE notice shall be given in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, by the claimant or his representative to the county commissioner, county council, or corporate authorities of a defendant municipal corporation or:

(i) In Baltimore City, to the city solicitor;

(ii) In Howard County, to the county executive;

(iii) In Montgomery County, to the county executive; or

(iv) In Prince George's County, to the county executive.

(2) IN ANNE ARUNDEL COUNTY AND BALTIMORE COUNTY, THE NOTICE SHALL BE GIVEN IN PERSON OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, BY THE CLAIMANT OR HIS REPRESENTATIVE TO THE COUNTY SOLICITOR OR COUNTY ATTORNEY.

[(2)] (3) The notice shall be in writing and shall state the time, place, and cause of the injury.

(c) Notwithstanding the other provisions of this section, the court may, upon motion and for good cause shown, entertain the suit even though the required notice was not given, unless the defendant can affirmatively show that its defense has been prejudiced thereby.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1985.