

CHAPTER 643

(Senate Bill 600)

AN ACT concerning

Charitable Organizations - Agent Immunity From Liability

FOR the purpose of prohibiting imposition of personal liability for damages on certain agents of charitable organizations under certain conditions; ~~defining charitable--organization; defining--agent--of-a-charitable-organization~~ certain terms; providing conditions under which personal liability for damages will and will not be imposed on agents of charitable organizations; providing limits to recovery by a plaintiff against a charitable organization in certain cases; providing for a certain exception; providing a certain applicability of this Act; and generally relating to civil liability for damages of agents of certain charitable organizations.

BY adding to

Article - Courts and Judicial Proceedings  
Section 5-312  
Annotated Code of Maryland  
(1984 Replacement Volume and 1985 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

5-312.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CHARITABLE ORGANIZATION" MEANS AN ORGANIZATION, INSTITUTION, ASSOCIATION, SOCIETY, OR CORPORATION THAT IS EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1954 ~~OR IS ELIGIBLE FOR EXEMPTION THEREUNDER.~~

(3) (I) "AGENT OF A CHARITABLE ORGANIZATION" MEANS A PERSON WHO IS OR WAS A DIRECTOR, OFFICER, EMPLOYEE OF A CHARITABLE ORGANIZATION OR WHO, ON A VOLUNTEER BASIS, IS OR WAS PROVIDING SERVICES OR PERFORMING DUTIES ON BEHALF OF A CHARITABLE ORGANIZATION.

(II) "AGENT OF A CHARITABLE ORGANIZATION" DOES NOT INCLUDE INDEPENDENT CONTRACTORS THAT PROVIDE SERVICES ON A CONTRACT BASIS.