

CHAPTER 613

(Senate Bill 359)

AN ACT concerning

Circuit Court - Jurisdiction - Class Actions

FOR the purpose of permitting separate claims of proposed members of a class, in a class action, to be ~~aggregated~~ aggregated to meet the minimum amount in controversy required to file suit in a circuit court.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 4-402
Annotated Code of Maryland
(1984 Replacement Volume and 1986 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

4-402.

(a) Except as provided in §§ 4-401 and 4-404 of this subtitle, the District Court does not have equity jurisdiction.

(b) The District Court does not have jurisdiction to decide the ownership of real property or of an interest in real property.

(c) The District Court does not have jurisdiction to render a declaratory judgment.

(d) (1) (I) Except in a case under paragraph (2), (4), (5), or (6) of § 4-401 of this subtitle, the plaintiff may elect to file suit in the District Court or in a trial court of general jurisdiction, if the amount in controversy exceeds \$2,500, exclusive of attorney's fees if attorney's fees are recoverable by law or contract.

(II) IN THE CASE OF A CLASS ACTION, THE SEPARATE CLAIMS OF THE PROPOSED MEMBERS OF THE CLASS MAY BE AGGREGATED TO MEET THE MINIMUM AMOUNT IN CONTROVERSY REQUIRED UNDER SUBPARAGRAPH (1) OF THIS PARAGRAPH.

(2) In a case under paragraph (7) of § 4-401 the plaintiff may elect to file a petition for injunctive relief either in the District Court or the circuit court.