

CHAPTER 564

(House Bill 470)

AN ACT concerning

Maryland Tort Claims Act – Restrictions on Actions – Third-Party Claims

FOR the purpose of providing that certain restrictions on actions under the Maryland Tort Claims Act do not apply to third-party claims; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 12-106

Annotated Code of Maryland

(1993 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – State Government

12-106.

(a) This section does not apply to a claim that is asserted by cross-claim [or], counterclaim, OR THIRD-PARTY CLAIM.

(b) A claimant may not institute an action under this subtitle unless:

(1) the claimant submits a written claim to the Treasurer or a designee of the Treasurer within 180 days after the injury to person or property that is the basis of the claim;

(2) the Treasurer or designee denies the claim finally; and

(3) the action is filed within 1 year after the claim is denied finally or 3 years after the cause of action arises, whichever is later.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.

Approved May 26, 1994.
