

CHAPTER 437

(Senate Bill 115)

AN ACT concerning

Maryland Tort Claims Act

FOR the purpose of altering the period of time within which a claimant under the Maryland Tort Claims Act is required to submit a certain claim to the Treasurer or the Treasurer's designee; establishing a certain limitation on the liability of the State and its units under the Maryland Tort Claims Act; providing for the effective date of this Act; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,

Article - State Government

Section 12-104 and 12-106

Annotated Code of Maryland

(1993 Replacement Volume and 1994 Supplement)

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 5-399.2(a)

Annotated Code of Maryland

(1989 Replacement Volume and 1994 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, 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] 1 YEAR 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 3 years after the cause of action arises.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows: