

Article -- Courts and Judicial Proceedings

5-399.8.

(A) (1) IN THIS SECTION, "CONSTITUENT SERVICE" INCLUDES INTERVENTION FOR INDIVIDUALS, GROUPS, ORGANIZATIONS, OR BUSINESSES OR ENTITIES THAT HAVE REQUESTS OF, OR GRIEVANCES AGAINST, ANY PUBLIC OR PRIVATE ENTITY OR INDIVIDUAL.

(2) "CONSTITUENT SERVICE" DOES NOT INCLUDE THE OPERATION OF A MOTOR VEHICLE.

(B) A MEMBER OF A STATE LEGISLATURE, INCLUDING A MEMBER OF THE GENERAL ASSEMBLY OF MARYLAND, OR AN INDIVIDUAL ON THE STAFF OF A MEMBER AND ACTING UNDER THE MEMBER'S DIRECTION AND CONTROL, WHO PROVIDES A CONSTITUENT SERVICE OR MAKES A COMMUNICATION ON BEHALF OF A CONSTITUENT IS NOT CIVILLY LIABLE OR SUBJECT TO DEPOSITION OR EXAMINATION FOR ANY ACT OR OMISSION RELATED TO THE CONSTITUENT SERVICE AND WITHIN THE SCOPE OF THE PUBLIC DUTIES OF THE MEMBER.

(C) THIS SECTION DOES NOT CONSTITUTE A WAIVER OF A MEMBER'S CONSTITUTIONAL, STATUTORY, OR COMMON LAW PRIVILEGES.

(2) "CONSTITUENT SERVICE" DOES NOT INCLUDE:

(I) THE OPERATION OF A MOTOR VEHICLE OR OTHER CONVEYANCE;

OR

(II) AN ACT OR OMISSION THAT CONSTITUTES A CRIMINAL OFFENSE.

(B) A MEMBER OF A STATE LEGISLATURE, INCLUDING A MEMBER OF THE GENERAL ASSEMBLY OF MARYLAND, WHO, IN GOOD FAITH, PROVIDES A CONSTITUENT SERVICE IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION RELATED TO THE CONSTITUENT SERVICE AND WITHIN THE SCOPE OF THE PUBLIC DUTIES OF THE MEMBER.

(C) THIS SECTION DOES NOT SUPERSEDE OR CONSTITUTE A WAIVER OF A MEMBER'S CONSTITUTIONAL, STATUTORY, OR COMMON LAW PRIVILEGES OR IMMUNITIES.

5-399.9.

(A) A MEMBER OF A STATE LEGISLATURE, INCLUDING A MEMBER OF THE GENERAL ASSEMBLY OF MARYLAND, WHO MAKES A COMMUNICATION ON BEHALF OF A CONSTITUENT IS NOT CIVILLY LIABLE FOR DEFAMATION UNLESS THE COMMUNICATION IS FALSE AND MADE WITH KNOWLEDGE OF OR IN RECKLESS DISREGARD OF ITS FALSITY.

(B) THIS SECTION DOES NOT SUPERSEDE OR CONSTITUTE A WAIVER OF A MEMBER'S CONSTITUTIONAL, STATUTORY, OR COMMON LAW PRIVILEGES OR IMMUNITIES.