

**Senate Bill No. 376**

AN ACT concerning

**Baltimore City – Contract Disputes**

FOR the purpose of prohibiting Baltimore City from raising the defense of sovereign immunity in certain contract cases; providing for a statute of limitations in certain cases; requiring the Mayor and City Council of Baltimore City to provide adequate funds for the satisfaction of final judgments in certain cases; providing that Baltimore City is not liable for punitive damages in certain contract cases; making stylistic changes; and generally relating to contract disputes and actions involving the Baltimore City government.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (4A)

(1996 Edition and 2000 Supplement, as amended)

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

**The Charter of Baltimore City**

**Article II – General Powers**

The Mayor and City Council of Baltimore shall have full power and authority to exercise all of the powers heretofore or hereafter granted to it by the Constitution of Maryland or by any Public General or Public Local Laws of the State of Maryland; and in particular, without limitation upon the foregoing, shall have power by ordinance, or such other method as may be provided for in its Charter, subject to the provisions of said Constitution and Public General Laws:

(4A)

(A) UNLESS OTHERWISE SPECIFICALLY PROVIDED BY THE LAWS OF MARYLAND, BALTIMORE CITY, ITS OFFICERS, DEPARTMENTS, AGENCIES, BOARDS, COMMISSIONS, OR OTHER UNITS OF GOVERNMENT MAY NOT RAISE THE DEFENSE OF SOVEREIGN IMMUNITY IN THE COURTS OF THIS STATE IN AN ACTION IN CONTRACT BASED ON A WRITTEN CONTRACT EXECUTED ON BEHALF OF THE CITY, DEPARTMENT, AGENCY, BOARD, COMMISSION, OR UNIT BY AN OFFICIAL OR EMPLOYEE ACTING WITHIN THE SCOPE OF AUTHORITY.

(B) IN ANY ACTION IN CONTRACT DESCRIBED IN SUBSECTION (A) OF THIS SECTION, BALTIMORE CITY, ITS OFFICERS, DEPARTMENTS, AGENCIES, BOARDS, COMMISSIONS, AND OTHER UNITS OF GOVERNMENT HAVE THE IMMUNITY FROM LIABILITY DESCRIBED IN § 5-509 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.