

Annotated Code of Maryland
(1996 Replacement Volume and 2003 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 18-101 through 18-104, inclusive, to be under the new title “Title 18.
Regulation of Residential Property for Rent or Lease”

Annotated Code of Maryland
(2001 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 6-801(b) and (t), 6-803, 6-804, and 6-848.2

Annotated Code of Maryland
(1996 Replacement Volume and 2003 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8-401(b) and (c)

Annotated Code of Maryland
(2003 Replacement Volume and 2003 Supplement)

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

Article – Environment

6-836.1.

IN AN ACTION IN WHICH THE OWNER'S IMMUNITY FROM LIABILITY UNDER § 6-835 OR § 6-836 OF THIS SUBTITLE IS CHALLENGED, UPON MOTION BY ANY PARTY AND PRIOR TO AUTHORIZING FURTHER PROCEEDINGS IN THE ACTION, THE COURT SHALL:

(1) ALLOW DISCOVERY LIMITED SOLELY TO THE ISSUE OF THE OWNER'S IMMUNITY UNDER § 6-835 OR § 6-836 OF THIS SUBTITLE;

(2) DETERMINE IF THERE ARE ANY DISPUTES OF MATERIAL FACT AS TO WHETHER THE OWNER IS ENTITLED TO IMMUNITY UNDER § 6-835 OR § 6-836 OF THIS SUBTITLE;

(3) HOLD AN EVIDENTIARY HEARING ON ISSUES OF MATERIAL FACT AS TO THE IMMUNITY, IF ANY, WHICH SHALL, UPON REQUEST OF ANY PARTY, BE BEFORE A JURY; AND

(4) DETERMINE AS A MATTER OF LAW WHETHER THE OWNER IS ENTITLED TO IMMUNITY FROM LIABILITY UNDER § 6-835 OR § 6-836 OF THIS SUBTITLE.