

BY adding to

Article - Courts and Judicial Proceedings

Section 3-2C-01 and 3-2C-02 to be under the new subtitle "Subtitle 2C.
Malpractice Claims Against Licensed Professionals"

Annotated Code of Maryland

(1995 Replacement Volume and 1997 Supplement)

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

Article - Courts and Judicial Proceedings

SUBTITLE 2C. MALPRACTICE CLAIMS AGAINST LICENSED PROFESSIONALS.

3-2C-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CLAIM" MEANS A CIVIL ACTION, INCLUDING AN ORIGINAL CLAIM, COUNTERCLAIM, CROSS-CLAIM, OR THIRD-PARTY CLAIM, ORIGINALLY FILED IN CIRCUIT COURT AGAINST A LICENSED PROFESSIONAL THAT IS BASED ON THE LICENSED PROFESSIONAL'S ALLEGED NEGLIGENT ACT OR OMISSION IN RENDERING PROFESSIONAL SERVICES, WITHIN THE SCOPE OF THE PROFESSIONAL'S LICENSE, PERMIT, OR CERTIFICATE, FOR OTHERS.

(C) "LICENSED PROFESSIONAL" MEANS:

(1) AN ARCHITECT LICENSED UNDER TITLE 3 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(2) AN INTERIOR DESIGNER CERTIFIED UNDER TITLE 8 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(3) A LANDSCAPE ARCHITECT LICENSED UNDER TITLE 9 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE;

(4) A PROFESSIONAL ENGINEER LICENSED UNDER TITLE 14 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE; OR

(5) A PROFESSIONAL LAND SURVEYOR OR PROPERTY LINE SURVEYOR LICENSED UNDER TITLE 15 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE.

(D) (1) "QUALIFIED EXPERT" MEANS AN INDIVIDUAL WHO:

~~(A) IS A LICENSED PROFESSIONAL, OR A COMPARABLY LICENSED OR CERTIFIED PROFESSIONAL UNDER THE LAWS OF ANOTHER STATE OR THE DISTRICT OF COLUMBIA, IN THE SAME PROFESSION AS THE LICENSED PROFESSIONAL AGAINST WHOM A CLAIM IS FILED; AND~~

~~(B) DOES NOT DEVOTE MORE THAN 20% OF THE INDIVIDUAL'S PROFESSIONAL OR OCCUPATIONAL ACTIVITIES ANNUALLY TO ACTIVITIES THAT~~