

HOUSE BILL 1361

D3

4lr1972

By: **Delegates Wu, Buckel, Hornberger, and Terrasa**

Introduced and read first time: February 9, 2024

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Various Aspects of Changing Contributory Negligence to**
3 **Comparative Negligence Act**

4 FOR the purpose of establishing the Task Force to Study Various Aspects of Changing
5 Contributory Negligence to Comparative Negligence Act; and generally relating to
6 the Task Force to Study Various Aspects of Changing Contributory Negligence to
7 Comparative Negligence Act.

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That:

10 (a) There is a Task Force to Study Various Aspects of Changing Contributory
11 Negligence to Comparative Negligence Act.

12 (b) The Task Force consists of the following members:

13 (1) two members of the Senate of Maryland, appointed by the President of
14 the Senate;

15 (2) four members of the House of Delegates, appointed by the Speaker of
16 the House;

17 (3) the Attorney General or the Attorney General's designee; and

18 (4) the following members, appointed by the Governor:

19 (i) one representative of the National Conference of Commissioners
20 on Uniform State Laws;

21 (ii) one professor from the University of Maryland School of Law;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iii) one representative of the Maryland Access to Justice
2 Commission;

3 (iv) one representative of the Task Force to Study Bicycle Safety on
4 Maryland Highways established by Chapters 835 and 836 of the Acts of the General
5 Assembly of 2017;

6 (v) one representative of the Maryland Bicycle and Pedestrian
7 Advisory Committee;

8 (vi) one representative of the Association of Pedestrian and Bicycle
9 Professionals; and

10 (vii) two members from the general public.

11 (c) The Governor shall designate the chair of the Task Force.

12 (d) The Department of Legislative Services shall provide staff for the Task Force.

13 (e) A member of the Task Force:

14 (1) may not receive compensation as a member of the Task Force; but

15 (2) is entitled to reimbursement for expenses under the Standard State
16 Travel Regulations, as provided in the State budget.

17 (f) The Task Force shall:

18 (1) study the sections of the State code that would be changed by the
19 adoption of the Uniform Apportionment of Tort Responsibility Act by the National
20 Conference of Commissioners on Uniform State Laws;

21 (2) study reports related to apportionment of tort responsibility completed
22 before the adoption of the Uniform Apportionment of Tort Responsibility Act in other
23 jurisdictions;

24 (3) study verifiable reports of actual financial impact of changing the
25 contributory negligence standard to comparative negligence after adoption of comparative
26 negligence in other jurisdictions; and

27 (4) study whether adoption of the Uniform Apportionment of Tort
28 Responsibility Act is consistent with public policy.

29 (g) On or before December 31, 2024, the Task Force shall report its findings and
30 recommendations to the General Assembly, in accordance with § 2-1257 of the State
31 Government Article.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
2 1, 2024. It shall remain effective for a period of 1 year and 1 month and, at the end of June
3 30, 2025, this Act, with no further action required by the General Assembly, shall be
4 abrogated and of no further force and effect.