

HOUSE BILL 1502

D3

4lr3329

By: **Delegates Norman, Wilson, Cardin, James, K. Kelly, Lafferty, Smigiel,
F. Turner, and Vitale**

Introduced and read first time: February 26, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Statute of Limitations for Certain Specialties**

3 FOR the purpose of repealing an exemption for certain specialties taken for use of the
4 State from a certain statute of limitations period; altering the time period
5 within which a civil action on certain specialties taken for use of the State shall
6 be filed; providing for the application of this Act; and generally relating to a
7 statute of limitations for certain specialties.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 5–102
11 Annotated Code of Maryland
12 (2013 Replacement Volume and 2013 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 5–102.

17 (a) An action on one of the following specialties, **INCLUDING A SPECIALTY**
18 **TAKEN FOR USE OF THE STATE**, shall be filed within 12 years after the cause of
19 action accrues, or within 12 years from the date of the death of the last to die of the
20 principal debtor or creditor, whichever is sooner:

21 (1) Promissory note or other instrument under seal;

22 (2) Bond except a public officer's bond;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (3) Judgment;
- 2 (4) Recognizance;
- 3 (5) Contract under seal; or
- 4 (6) Any other specialty.

5 (b) A payment of principal or interest on a specialty suspends the operation
6 of this section as to the specialty for three years after the date of payment.

7 [(c) This section does not apply to a specialty taken for the use of the State.]

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
9 construed to apply only prospectively and may not be applied or interpreted to have
10 any effect on or application to any cause of action arising before the effective date of
11 this Act.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2014.