

HOUSE BILL 1806

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2lr3521

By: **Delegate Kramer**

Introduced and read first time: May 14, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Dog Bite Lawsuits – Evidence and Standard of Proof**

3 FOR the purpose of establishing that in a cause of action involving damages resulting
4 from a dog bite, the common law rules of evidence and standard of proof that
5 existed on a certain date are retained without regard to the breed or heritage of
6 the dog; stating the General Assembly's intent to overturn the ruling in a
7 certain court case; providing for the application of this Act; and generally
8 relating to lawsuits involving dog bites.

9 BY adding to

10 Article – Courts and Judicial Proceedings

11 Section 10–922

12 Annotated Code of Maryland

13 (2006 Replacement Volume and 2011 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 **10–922.**

18 **IN A CAUSE OF ACTION INVOLVING DAMAGES RESULTING FROM A DOG**
19 **BITE, THE COMMON LAW RULES OF EVIDENCE AND STANDARD OF PROOF THAT**
20 **EXISTED ON JANUARY 1, 2012, ARE RETAINED WITHOUT REGARD TO THE BREED**
21 **OR HERITAGE OF THE DOG.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the
23 General Assembly that this Act overturn the Court of Appeals ruling in Tracey v.
24 Solesky, No. 53, September Term 2012.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
2 construed to apply only prospectively and may not be applied or interpreted to have
3 any effect on or application to any cause of action arising before the effective date of
4 this Act.

5 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2012.