

HOUSE BILL 397

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By: **Washington County Delegation**

Introduced and read first time: January 29, 2010

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts and Judicial Proceedings – Local Government Tort Claims Act –**
3 **Washington County Community Action Council**

4 FOR the purpose of adding the Washington County Community Action Council, Inc.,
5 to the list of entities included in the definition of “local government” for the
6 purposes of the Local Government Tort Claims Act; providing for the application
7 of this Act; and generally relating to the Local Government Tort Claims Act.

8 BY repealing and reenacting, with amendments,
9 Article – Courts and Judicial Proceedings
10 Section 5–301(d)
11 Annotated Code of Maryland
12 (2006 Replacement Volume and 2009 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 5–301.

17 (d) “Local government” means:

18 (1) A chartered county established under Article 25A of the Code;

19 (2) A code county established under Article 25B of the Code;

20 (3) A board of county commissioners established or operating under
21 Article 25 of the Code;

22 (4) Baltimore City;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (5) A municipal corporation established or operating under Article 23A
2 of the Code;
- 3 (6) The Maryland–National Capital Park and Planning Commission;
- 4 (7) The Washington Suburban Sanitary Commission;
- 5 (8) The Northeast Maryland Waste Disposal Authority;
- 6 (9) A community college or board of trustees for a community college
7 established or operating under Title 16 of the Education Article, not including
8 Baltimore City Community College;
- 9 (10) A county public library or board of trustees of a county public
10 library established or operating under Title 23, Subtitle 4 of the Education Article;
- 11 (11) The Enoch Pratt Free Library or Board of Trustees of the Enoch
12 Pratt Free Library;
- 13 (12) The Washington County Free Library or the Board of Trustees of
14 the Washington County Free Library;
- 15 (13) A special taxing district;
- 16 (14) A nonprofit community service corporation incorporated under
17 State law that is authorized to collect charges or assessments;
- 18 (15) Housing authorities created under Division II of the Housing and
19 Community Development Article;
- 20 (16) A sanitary district, sanitary commission, metropolitan commission,
21 or other sewer or water authority established or operating under public local law or
22 public general law;
- 23 (17) The Baltimore Metropolitan Council;
- 24 (18) The Howard County Economic Development Authority;
- 25 (19) The Howard County Mental Health Authority;
- 26 (20) A commercial district management authority established by a
27 county or municipal corporation if provided under local law;
- 28 (21) The Baltimore City Police Department;
- 29 (22) A regional library resource center or a cooperative library
30 corporation established under Title 23, Subtitle 2 of the Education Article;

1 (23) Lexington Market, Inc., in Baltimore City;

2 (24) The Baltimore Public Markets Corporation, in Baltimore City;

3 (25) The nonprofit corporation serving as the local public transportation
4 authority for Carroll County pursuant to a contract or memorandum of understanding
5 with Carroll County (Carroll County Senior Overland Service, Inc., t/a Carroll Area
6 Transit System);

7 (26) The nonprofit corporation serving as the animal control and
8 licensing authority for Carroll County pursuant to a contract or memorandum of
9 understanding with Carroll County (the Humane Society of Carroll County, Inc.);

10 (27) Garrett County Municipalities, Inc., in Garrett County; [and]

11 (28) The nonprofit corporation serving as the local public transportation
12 authority for Garrett County pursuant to a contract or memorandum of understanding
13 with Garrett County (Garrett County Community Action Committee, Inc.); **AND**

14 **(29) THE WASHINGTON COUNTY COMMUNITY ACTION COUNCIL,**
15 **INC.**

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

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2010.