

10 AN ACT CONCERNING  
20 Maryland's Standard of Negligence  
30 FOR the purpose of altering Maryland's current system of negligence to be just to  
40 all Marylanders.

50 BY adding to  
60 Article - Courts and Judicial Proceedings  
70 Section 11-2A-01 to be under the new subtitle "Subtitle 2A. Maryland  
80 Comparative Negligence Act"  
90 Annotated Code of Maryland  
100 (1998 Replacement Volume and 2000 Supplement)

110 SECTION 1. BE IT ENACTED BY THE MARYLAND STUDENT  
120 LEGISLATURE: that the laws of Maryland read as follows:

130 Article - Courts and Judicial Proceedings

140 SUBTITLE 2A. MARYLAND COMPARATIVE NEGLIGENCE ACT.

150 11-2A-01.

160 (A) IN ALL ACTIONS BROUGHT TO RECOVER DAMAGES FOR NEGLIGENCE THAT  
170 RESULTED IN THE DEATH OF AN INDIVIDUAL OR IN INJURY TO A PERSON OR  
180 PROPERTY, THE FACT THAT THE PLAINTIFF MAY HAVE BEEN CONTRIBUTORILY  
190 NEGLIGENT SHALL NOT BAR A RECOVERY BY THE PLAINTIFF OR THE PLAINTIFF'S  
200 LEGAL REPRESENTATIVE IF THE NEGLIGENCE OF THE PLAINTIFF WAS LESS THAN  
210 THE NEGLIGENCE OF THE DEFENDANT OR THE COMBINED NEGLIGENCE OF ALL  
220 DEFENDANTS AGAINST WHOM RECOVERY IS SOUGHT.

230 (B) ANY DAMAGES AWARDED UNDER THIS SECTION SHALL BE DIMINISHED IN  
240 PROPORTION TO THE AMOUNT OF NEGLIGENCE ATTRIBUTED TO THE PLAINTIFF.

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

280 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
290 October 1, 2001.

300 MANDATES: Senator Walter M. Baker, Chairman,  
310 Senate Judicial Proceedings Committee  
320 Senator Leo E. Green, Vice-Chairman,  
330 Senate Judicial Proceedings Committee

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