

# SENATE BILL 157

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8lr0480

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By: **Senators Brochin, Kelley, Norman, and Ready**

Introduced and read first time: January 15, 2018

Assigned to: Judicial Proceedings

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 2018

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Courts – Small Claims – Jurisdictional Limit**

3 FOR the purpose of increasing the minimum amount in controversy in civil cases over  
4 which the District Court and the circuit courts have concurrent jurisdiction;  
5 increasing the maximum amount of money over which the District Court has  
6 exclusive jurisdiction in a small claim action; increasing the minimum amount in  
7 controversy in civil cases in which appeals from the District Court are required to be  
8 heard on the record; providing for the application of this Act; and generally relating  
9 to the jurisdiction of the District Court.

10 BY repealing and reenacting, with amendments,  
11 Article – Courts and Judicial Proceedings  
12 Section 4–402(d)(1)(i), 4–405, and 12–401(f)  
13 Annotated Code of Maryland  
14 (2013 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Courts and Judicial Proceedings  
17 Section 12–401(a)  
18 Annotated Code of Maryland  
19 (2013 Replacement Volume and 2017 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



**Article – Courts and Judicial Proceedings**

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2 4–402.

3 (d) (1) (i) Except in a case under paragraph (2), (4), (5), or (6) of § 4–401 of  
4 this subtitle, the plaintiff may elect to file suit in the District Court or in a trial court of  
5 general jurisdiction, if the amount in controversy exceeds [~~\$5,000~~] **\$7,500**, exclusive of  
6 prejudgment or postjudgment interest, costs, and attorney’s fees if attorney’s fees are  
7 recoverable by law or contract.

8 4–405.

9 The District Court has exclusive jurisdiction over a small claim action, which, for  
10 purposes of this section, means a civil action for money in which the amount claimed does  
11 not exceed [~~\$5,000~~] **\$7,500** exclusive of interest, costs, and attorney’s fees, if attorney’s fees  
12 are recoverable by law or contract; and landlord tenant action under §§ 8–401 and 8–402 of  
13 the Real Property Article, in which the amount of rent claimed does not exceed \$5,000  
14 exclusive of interest and costs.

15 12–401.

16 (a) A party in a civil case may appeal from a final judgment entered in the District  
17 Court.

18 (f) In a civil case in which the amount in controversy exceeds [~~\$5,000~~] **\$7,500**  
19 exclusive of interest, costs, and attorney’s fees if attorney’s fees are recoverable by law or  
20 contract, in any matter arising under § 4–401(7)(ii) of this article, and in any case in which  
21 the parties so agree, an appeal shall be heard on the record made in the District Court. In  
22 every other case, including a criminal case in which sentence has been imposed or  
23 suspended following a plea of nolo contendere or guilty, and an appeal in a municipal  
24 infraction or Code violation case, an appeal shall be tried de novo.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to  
26 apply only prospectively and may not be applied or interpreted to have any effect on or  
27 application to any civil action filed before the effective date of this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2018.