



Maryland Association for Justice, Inc.

2020 Position Paper

HB 802

Civil Actions - Civil Immunity - Educator Intervention in Student Violence (Good Teacher Protection Act)

FAVORABLE WITH AMENDMENT

The Maryland Association for Justice, Inc. (MAJ) represents over 1,200 trial attorneys throughout the state of Maryland. MAJ advocates for the preservation of the civil justice system, the protection of the rights of consumers, and individuals that have been injured by bad actors.

Generally, MAJ opposes any legislation that expands immunity; however, MAJ understands the importance of keeping schools safe for their students and employees.

MAJ respectfully offers the following amendment to HB 802 to further clarify the immunity provision in the bill.

ON PAGE 2; PART (C) – LINES 23 - 31

23 (C) A MEMBER OF THE ADMINISTRATIVE, EDUCATIONAL, OR SUPPORT
24 STAFF OF ANY PUBLIC, PRIVATE, OR PAROCHIAL SCHOOL ACTING IN AN OFFICIAL
CAPACITY IS IMMUNE FROM CIVIL
25 LIABILITY FOR ANY PERSONAL INJURY OR PROPERTY DAMAGE RESULTING FROM AN
26 INTERVENTION IN AN ALTERCATION BETWEEN STUDENTS OR OTHER STUDENT
27 DISTURBANCE IF:
28 (1) ~~THE MEMBER WAS ACTING IN GOOD FAITH TO PROTECT~~
29 ~~STUDENTS FROM HARM~~ THE MEMBER INTERVENED IN A REASONABLY PRUDENT
MANNER; AND
30 (2) THE ACTIONS TAKEN BY THE MEMBER IN INTERVENING ~~WERE NOT~~
31 DO NOT CONSTITUTE GROSSLY NEGLIGENT, WILLFUL, WANTON, OR INTENTIONALLY
TORTIOUS CONDUCT.