

SENATE BILL 889

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4lr2515

By: **Chair, Judicial Proceedings Committee (By Request – Office of the Attorney General)**

Introduced and read first time: February 2, 2024

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Actions – Enforcement Actions by the Attorney General – Statutes of**
3 **Limitations**

4 FOR the purpose of repealing certain statutes of limitations for certain civil enforcement
5 actions brought by the Attorney General; and generally relating to statutes of
6 limitations.

7 BY repealing and reenacting, with amendments,
8 Article – Courts and Judicial Proceedings
9 Section 5–107
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Commercial Law
14 Section 11–209(d)
15 Annotated Code of Maryland
16 (2013 Replacement Volume and 2023 Supplement)

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

19 **Article – Courts and Judicial Proceedings**

20 5–107.

21 Except **FOR A CIVIL ENFORCEMENT ACTION BROUGHT BY THE ATTORNEY**
22 **GENERAL OR** as provided in § 5–106 of this subtitle, § 1–303 of the Environment Article,

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



and § 8–1815 of the Natural Resources Article, a prosecution or suit for a fine, penalty, or forfeiture shall be instituted within one year after the offense was committed.

Article – Commercial Law

11–209.

(d) (1) (I) [An] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN** action brought to enforce this subtitle shall be commenced within 4 years after the cause of action accrues.

(II) **THE ATTORNEY GENERAL MAY COMMENCE A CIVIL ENFORCEMENT ACTION TO ENFORCE THIS SUBTITLE AT ANY TIME.**

(2) For the purposes of this subsection, a cause of action for a continuing violation accrues at the time of the latest violation.

(3) Whenever the State commences a criminal proceeding under this subtitle or the United States commences a criminal antitrust proceeding under the federal antitrust laws, any civil action under this section related to the subject matter of the criminal proceeding shall be commenced within 1 year after the conclusion of the proceeding or within 4 years after the cause of action accrued, whichever is later.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2024.