

SENATE BILL 271

D3, P4

5lr1756
CF 5lr3492

By: **Senator M. Jackson**

Introduced and read first time: January 9, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Maryland Tort Claims Act – Employees of an Office of a Sheriff**

3 FOR the purpose of providing that an employee of the office of a sheriff of a county or
4 Baltimore City is immune from certain liability in the same manner as a sheriff or
5 deputy sheriff; and generally relating to the Maryland Tort Claims Act.

6 BY repealing and reenacting, without amendments,
7 Article – Courts and Judicial Proceedings
8 Section 5–522(b)
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2024 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 12–101(a)(6)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2024 Supplement)

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

18 **Article – Courts and Judicial Proceedings**

19 5–522.

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.



(b) State personnel, as defined in § 12–101 of the State Government Article, are immune from suit in courts of the State and from liability in tort for a tortious act or omission that is within the scope of the public duties of the State personnel and is made without malice or gross negligence, and for which the State or its units have waived immunity under Title 12, Subtitle 1 of the State Government Article, even if the damages exceed the limits of that waiver.

Article – State Government

12–101.

(a) In this subtitle, unless the context clearly requires otherwise, “State personnel” means:

(6) (I) a sheriff or deputy sheriff of a county or Baltimore City; **OR**

(II) **AN EMPLOYEE OF THE OFFICE OF A SHERIFF OF A COUNTY
OR BALTIMORE CITY;**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.