

HOUSE BILL 207

D3

3lr1896
CF 3lr1227

By: **Delegate Moon**

Introduced and read first time: January 20, 2023

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Prohibited Liability Agreements – Recreational Facilities**

3 FOR the purpose of establishing that a provision in a contract or agreement relating to the
4 use of a recreational facility that purports to release the recreational facility from, or
5 indemnify or hold harmless the recreational facility against, liability for bodily injury
6 is void and unenforceable under certain circumstances; and generally relating to
7 liability agreements and recreational facilities.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 5–401.2

11 Annotated Code of Maryland

12 (2020 Replacement Volume and 2022 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 **5–401.2.**

17 (A) IN THIS SECTION, “RECREATIONAL FACILITY” MEANS A COMMERCIAL
18 RECREATIONAL FACILITY, A COMMERCIAL ATHLETIC FACILITY, OR AN AMUSEMENT
19 ATTRACTION.

20 (B) ANY PROVISION IN A CONTRACT OR AGREEMENT RELATING TO THE USE
21 OF A RECREATIONAL FACILITY THAT PURPORTS TO RELEASE THE RECREATIONAL
22 FACILITY FROM, OR INDEMNIFY OR HOLD HARMLESS THE RECREATIONAL FACILITY
23 AGAINST, LIABILITY FOR BODILY INJURY CAUSED BY OR RESULTING FROM THE
24 NEGLIGENCE OR OTHER WRONGFUL ACT OF THE RECREATIONAL FACILITY OR ITS

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 AGENTS OR EMPLOYEES IS AGAINST PUBLIC POLICY AND IS VOID AND
2 UNENFORCEABLE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2023.