

HOUSE BILL 1131

D3
HB 227/21 – JUD

2lr2906

By: **Delegates Bartlett and Charles**
Introduced and read first time: February 11, 2022
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Falsely Summoning a Police Officer – Civil Liability**

3 FOR the purpose of authorizing a person to bring a civil action for damages against another
4 person who knowingly causes a police officer to arrive at a location to contact the
5 person with a certain intent; establishing an exception in certain cases where a
6 person who alleges to have been a victim of abuse requests the help of a police officer;
7 and generally relating to civil liability for improperly summoning a police officer.

8 BY adding to

9 Article – Courts and Judicial Proceedings

10 Section 3–2301 through 3–2303 to be under the new subtitle “Subtitle 23. Liability
11 for Improperly Summoning a Police Officer”

12 Annotated Code of Maryland

13 (2020 Replacement Volume and 2021 Supplement)

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

16 **Article – Courts and Judicial Proceedings**

17 **SUBTITLE 23. LIABILITY FOR IMPROPERLY SUMMONING A POLICE OFFICER.**

18 **3–2301.**

19 **(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PERSON**
20 **MAY BRING A CIVIL ACTION FOR DAMAGES AGAINST ANOTHER PERSON WHO**
21 **KNOWINGLY CAUSES A POLICE OFFICER TO ARRIVE AT A LOCATION TO CONTACT THE**
22 **PERSON WITH THE INTENT TO:**

23 **(1) INFRINGE ON THE PERSON’S RIGHTS UNDER THE MARYLAND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 CONSTITUTION OR THE UNITED STATES CONSTITUTION;

2 (2) UNLAWFULLY DISCRIMINATE AGAINST THE PERSON;

3 (3) CAUSE THE PERSON TO:

4 (I) FEEL HARASSED, HUMILIATED, OR EMBARRASSED; OR

5 (II) BE EXPELLED FROM A PLACE IN WHICH THE PERSON IS
6 LAWFULLY LOCATED; OR

7 (4) DAMAGE THE PERSON'S:

8 (I) REPUTATION OR STANDING WITHIN THE COMMUNITY; OR

9 (II) FINANCIAL, ECONOMIC, CONSUMER, OR BUSINESS
10 PROSPECTS OR INTERESTS.

11 (B) THIS SECTION DOES NOT APPLY TO A PERSON WHO REQUESTS HELP
12 FROM A POLICE OFFICER IN ACCORDANCE WITH § 4-502 OF THE FAMILY LAW
13 ARTICLE.

14 **3-2302.**

15 A PERSON ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE MAY
16 RECOVER:

17 (1) THE GREATER OF:

18 (I) ECONOMIC AND NONECONOMIC DAMAGES, INCLUDING
19 DAMAGES FOR EMOTIONAL DISTRESS; OR

20 (II) STATUTORY DAMAGES OF \$10,000 AGAINST EACH
21 DEFENDANT FOUND LIABLE UNDER THIS SECTION; AND

22 (2) PUNITIVE DAMAGES.

23 **3-2303.**

24 THIS SUBTITLE DOES NOT LIMIT ANY OTHER LEGAL REMEDY TO WHICH A
25 PLAINTIFF IS ENTITLED.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2022.