

Chapter 482

(Senate Bill 1027)

AN ACT concerning

Courts – Action for Violation of Collective Bargaining Agreement or Breach of Duty of Fair Representation – Limitations Period

FOR the purpose of establishing a certain limitations period on an action for injunctive relief or damages for a violation of a collective bargaining agreement covering employees of the State or a political subdivision of the State or a breach by an exclusive representative of the duty of fair representation ~~of~~ owed to employees of the State or a political subdivision of the State; providing for the application of this Act; and generally relating to periods of limitations on actions arising from collective bargaining agreements.

BY adding to

Article – Courts and Judicial Proceedings
Section 5–120
Annotated Code of Maryland
(2013 Replacement Volume and 2016 Supplement)

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

Article – Courts and Judicial Proceedings

5–120.

(A) THIS SECTION APPLIES TO AN ACTION FOR INJUNCTIVE RELIEF OR DAMAGES FOR:

(1) A VIOLATION OF A COLLECTIVE BARGAINING AGREEMENT COVERING AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE; OR

(2) A BREACH BY AN EXCLUSIVE REPRESENTATIVE OF THE DUTY OF FAIR REPRESENTATION ~~OF~~ OWED TO AN EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

(B) AN ACTION SUBJECT TO THIS SECTION SHALL BE COMMENCED WITHIN 6 MONTHS AFTER THE LATER OF:

(1) THE DATE ON WHICH THE CLAIM ACCRUED; OR

(2) THE DATE ON WHICH THE COMPLAINANT KNEW OR SHOULD REASONABLY HAVE KNOWN OF THE BREACH.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.

Approved by the Governor, May 4, 2017.