

SENATE BILL 1154

D3

6lr3832

By: **Senator Ready**

Introduced and read first time: March 7, 2016

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Courts – Limitation on Damages Arising Out of Bedbug Extermination**

3 FOR the purpose of limiting compensation in a civil action against a pesticide business
4 arising out of the business's treatment of a bedbug infestation to actual damages
5 under certain circumstances; defining a certain term; and generally relating to
6 damages in civil actions against pesticide businesses.

7 BY adding to

8 Article – Courts and Judicial Proceedings

9 Section 5–427

10 Annotated Code of Maryland

11 (2013 Replacement Volume and 2015 Supplement)

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

14 **Article – Courts and Judicial Proceedings**

15 **5–427.**

16 (A) IN THIS SECTION, “PESTICIDE BUSINESS” MEANS A BUSINESS ENGAGING
17 IN OR OFFERING TO ENGAGE IN RECOMMENDING, ADVERTISING, SOLICITING THE
18 USE OF, SUPERVISING THE USE OF, OR USING A PESTICIDE OR A DEVICE FOR THE
19 IDENTIFICATION, CONTROL, ERADICATION, MITIGATION, DETECTION, INSPECTION,
20 OR PREVENTION OF A PEST IN, ON, OR AROUND ANY HOUSE, BUILDING, WATER, AIR,
21 LAND, PLANT, STRUCTURE, OR ANIMAL.

22 (B) IN A CIVIL ACTION BROUGHT AGAINST A PESTICIDE BUSINESS LICENSED
23 IN THE STATE ARISING OUT OF THE PESTICIDE BUSINESS'S TREATMENT OF AN
24 INFESTATION OF BEDBUGS, THE LIABILITY OF THE PESTICIDE BUSINESS IS LIMITED

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 TO COMPENSATION FOR ACTUAL DAMAGES SUSTAINED BY THE PLAINTIFF UNLESS
2 THE ACT OR OMISSION GIVING RISE TO THE CLAIM IS ONE OF GROSS NEGLIGENCE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2016.