

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1105
Judiciary

(Delegate Embry, *et al.*)

Judicial Proceedings

Statute of Limitations - Civil Suits to Enforce Local Consumer Protection Codes

This bill increases, from one year to three years, the statute of limitations for a civil suit for enforcement of a local consumer protection code for which equitable relief, a fine, or a penalty is provided. The statute of limitations begins to run when the local authorities knew or reasonably should have known of the violation.

Fiscal Summary

State Effect: The bill does not materially affect State finances or operations.

Local Effect: Local revenues may increase from fines and penalties in cases that are able to proceed under the bill and presumably offset any increase in local expenditures for additional enforcement actions pursued under the bill’s extended statute of limitations.

Small Business Effect: Minimal.

Analysis

Current Law: Generally, under § 5-107 of the Courts and Judicial Proceedings Article, unless otherwise specified, a prosecution or suit for a fine, penalty, or forfeiture must be initiated within one year after the offense was committed.

In general, the statute of limitations for a civil action requires the action to be filed within three years from the date it accrues unless another statutory provision permits a different period of time within which an action can be commenced. The “discovery rule” is applicable generally in all actions, and the cause of action accrues when the claimant in fact knew or reasonably should have known of the wrong. *Poffenberger v. Risser*, 290 Md. 631 (1981).

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years; however, legislation with similar provisions has been proposed. For example, see HB 591 of 2025 and HB 549 of 2024.

Designated Cross File: SB 979 (Senator McCray)(By Request - Baltimore City Administration) - Rules.

Information Source(s): Anne Arundel County; Maryland Association of Counties; Maryland Municipal League; Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Office of the Public Defender; Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2026
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