

(b) (1) The Attorney General shall decline to represent a State officer or State employee if, on the basis of the investigation, the Attorney General finds that [the officer or employee]:

(i) THE OFFICER OR EMPLOYEE was not acting within the scope of employment of the officer or employee;

(ii) the act or omission was malicious; or

(iii) the act or omission was grossly negligent.

SECTION -6- 9. AND BE IT FURTHER ENACTED, That the provisions of Sections 1 through 10 of this Act are intended solely to correct outdated references and technical errors in the law and to delete certain obsolete provisions and that there is no intent to revive or otherwise affect law that is the subject of other Acts, whether those Acts were signed by the Governor prior to or after the signing of this Act.

SECTION -7- 10. AND BE IT FURTHER ENACTED, That Sections 1 through 10 of this Act shall take effect October 1, 1984.

SECTION 11. AND BE IT FURTHER ENACTED, That Section 2-706(c) of Article - State Government, of the Annotated Code of Maryland (as enacted by Chapter (S.B. 50) of the Acts of the General Assembly of 1984) be renumbered to be Section 2-706(d).

SECTION 12. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - State Government

2-706.

(C) A RULE OF LEGISLATIVE ETHICS IS EFFECTIVE ON ADOPTION OF THE JOINT RESOLUTION.

SECTION 13. AND BE IT FURTHER ENACTED, That Sections 11 and 12 of this Act shall take effect on October 1, 1984, contingent on the failure of House Bill 668 and if House Bill 668 takes effect, Sections 11 and 12 of this Act are null and void without the necessity of further action by the General Assembly.

Approved May 8, 1984.

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