

(iii) the act or omission was not grossly negligent; and

[(6)] (7) if there is any question whether the applicant is State personnel for purposes of this subtitle, the Board finds that, regardless of the method, source, or amount of compensation, the applicant is State personnel.

12-501.

(a) (1) The Board of Public Works may approve payment of a settlement, a judgment, or counsel fees under Subtitles 3 and 4 of this title with or without a hearing, and direct payment from:

(i) money appropriated for that purpose in the State budget;

(ii) money appropriated to the State Insurance Trust Fund for that purpose; [or]

(iii) the General Emergency Fund; OR

(IV) IN CONNECTION WITH ANY SETTLEMENT OR JUDGMENT PAID ON BEHALF OF ANY SHERIFF OR DEPUTY SHERIFF FOR ANY CLAIM EXCEPT THOSE CLAIMS DIRECTLY RELATING TO COURTHOUSE SECURITY, SERVICE OF PROCESS, OR THE TRANSPORTATION OF INMATES TO OR FROM COURT PROCEEDINGS:

1. ANY TAX WHICH HAS BEEN APPROPRIATED IN THE STATE BUDGET TO THE SUBDIVISION REPRESENTED BY THE SHERIFF OR DEPUTY SHERIFF ON WHOSE BEHALF THE PAYMENT IS TO BE MADE; OR

2. THE SUBDIVISION'S SHARE OF ANY INCOME TAX COLLECTED BY THE STATE COMPTROLLER.

(6) IF THE BOARD DIRECTS PAYMENT UNDER PARAGRAPH (1)(IV) OF THIS SUBSECTION, SUCH PAYMENT SHALL BE COLLECTED IN THE MANNER PROVIDED BY § 7-222 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved May 29, 1990.