

Article 23A – Corporations – Municipal

1A.

(a) Unless otherwise specifically provided by the laws of Maryland, a municipal corporation, and every officer, department, agency, board, commission, or other unit of municipal government may not raise the defense of sovereign immunity in the courts of this State in an action in contract based upon a written contract executed on behalf of the municipal corporation, or its department, agency, board, commission, or unit by an official or employee acting within the scope of his authority.

(b) In any [such] action IN CONTRACT DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION, the municipal corporation, or its officer, department, agency, board, commission, or other unit of government [is not liable for punitive damages] SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3~~ § 5-321(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

1B.

[(a)] Officials of a municipal corporation[, while acting in a discretionary capacity, without malice, and within the scope of their employment or authority shall be immune as officials or individuals from any civil liability for the performance of such actions.

(b) An official is not immune from liability for negligence or any other tort arising from the operation of a motor vehicle except as to any claim for damages in excess of the limits of any applicable policy of motor vehicle liability insurance.

(c) A municipal corporation shall provide defense for its officials for any act arising within the scope of their employment or authority; a municipal corporation shall only provide defense for its officials for negligence or any other tort arising from the operation of a motor vehicle as to any claim for damages in excess of the limits of any applicable policy of motor vehicle liability insurance] SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3~~ § 5-321(B) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

Article 25 – County Commissioners

1A.

(a) Unless otherwise specifically provided by the laws of Maryland, a county governed by county commissioners and organized according to the provisions of this article, and every officer, department, agency, board, commission, or other unit of county government may not raise the defense of sovereign immunity in the courts of this State in an action in contract based upon a written contract executed on behalf of the county, or its department, agency, board, commission, or unit by an official or employee acting within the scope of his authority.

(b) In any [such] action IN CONTRACT DESCRIBED UNDER SUBSECTION (A) OF THIS SECTION, the county, or its officer, department, agency,