

(5) a cause of action that law specifically prohibits] AS DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3~~ § 5-399.2(A) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

(c) (1) The Treasurer may pay from the State Insurance Trust Fund all or part of that portion of a tort claim which exceeds the coverage obtained under Title 9 of the State Finance and Procurement Article under the following conditions:

(i) the tort claim is one for which the State and its units have waived immunity under subsections (a) and (b) of this section;

(ii) a judgment or settlement has been entered granting the claimant damages to the full amount of coverage under Title 9 of the State Finance and Procurement Article; and

(iii) the Board of Public Works, with the advice and counsel of the Attorney General, has approved the payment.

(2) Any payment of part of a settlement or judgment under this subsection does not abrogate the sovereign immunity of the State or any units beyond the waiver provided in subsections (a) and (b) of this section.

12-105.

[(a)] State personnel [are immune from suit in courts of the State and from liability in tort for a tortious act or omission that is within the scope of the public duties of the State personnel and is made without malice or gross negligence, and for which the State or its units have waived immunity under this subtitle, even if damages exceed the limits of that waiver.

(b) The scope of public duties of State personnel shall include, but not be limited to:

(1) any authorized use of a State-owned vehicle by State personnel, including but not limited to commuting to and from the place of employment; and

(2) services to third parties performed by State personnel, as defined by § 12-101(5) of this subtitle, in the course of participation in an approved clinical training or academic program] SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER ~~TITLE 5, SUBTITLE 3~~ § 5-399.2(B) OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE.

12-201.

(a) Except as otherwise expressly provided by a law of the State, the State, its officers, and its units may not raise the defense of sovereign immunity in a contract action, in a court of the State, based on a written contract that an official or employee executed for the State or 1 of its units while the official or employee was acting within the scope of the authority of the official or employee.

(b) In an action under this subtitle, the State and its officers and units [are not liable for punitive damages] SHALL HAVE THE IMMUNITY FROM LIABILITY