

CHAPTER 507
(House Bill 374)

AN ACT to repeal and re-enact, with amendments, Section 56B of Article 77 of the Annotated Code of Maryland (1971 Supplement), title "Public Education," subtitle "Chapter 4. County Boards of Education," to require the county boards of education and the Board of School Commissioners of Baltimore City to purchase comprehensive liability insurance, to authorize the State Board of Education to set standards and guidelines for the policies, including a minimum liability coverage which shall not be less than one hundred thousand dollars (\$100,000.00) per occurrence, and to allow the Boards of Education to raise the defense of sovereign immunity to any amount in excess of the limit of the policy OR IN EXCESS OF A CERTAIN AMOUNT IN THE CASE OF SELF-INSURANCE.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 56B of Article 77 of the Annotated Code of Maryland (1971 Supplement), title "Public Education," subtitle "Chapter 4. County Boards of Education," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

56B.

(a) The county boards of education and the [board] *Board of [school commissioners] School Commissioners* of Baltimore City shall carry comprehensive liability insurance to protect the Board and its agents and employees. The purchase of [such] *the* insurance shall be considered as an educational purpose and as a valid educational expense.

(b) The State Board of Education shall adopt regulations setting up standards and guidelines for the policies, including a minimum liability coverage [.] *which shall not be less than one hundred thousand dollars (\$100,000.00) per occurrence,* and the policies purchased under this section [.] after the adoptions of these regulations, shall conform to them.

(c) Any of the above boards of education shall be considered in compliance herein if they are self-insured *in an amount not less than one hundred thousand dollars (\$100,000.00) per occurrence* under rules and regulations promulgated by the State Insurance Commissioner. [Liability shall be limited to one hundred thousand dollars (\$100,000) for each injury, the policy limits for this insurance shall not exceed one hundred thousand dollars (\$100,000).]

(d) Nothing in this section shall be construed as affecting the right of the various boards of education, on their own behalf, from raising the defense of sovereign immunity to any amount in excess of the limit of [liability] *the policy* OR IN EXCESS OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN THE CASE OF SELF-INSURANCE.

SEC. 2. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and having been passed by a