

Section [[5A]] 11A and 15A
 Annotated Code of Maryland
 (1969 Replacement Volume and 1973 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section [[5A]] 11A be and it is hereby added to Article 77A - Higher Education, of the Annotated Code of Maryland (1969 Replacement Volume and 1973 Supplement) to read as follows:

Article 77A - Higher Education

[[5A]] 11A.

(A) THE BOARD OF TRUSTEES OF THE STATE COLLEGES MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO PROTECT THE BOARD, ITS AGENTS AND EMPLOYEES, AND ANY AGENTS AND EMPLOYEES OF ANY COLLEGE UNDER ITS JURISDICTION. THE PURCHASE OF THE INSURANCE SHALL BE CONSIDERED AS AN EDUCATIONAL PURPOSE AND AS A VALID EDUCATIONAL EXPENSE.

(B) THE BOARD [[OF TRUSTEES OF THE STATE COLLEGES]] MAY ADOPT REGULATIONS SETTING UP STANDARDS AND GUIDELINES FOR THE COMPREHENSIVE LIABILITY INSURANCE INCLUDING A MINIMUM LIABILITY COVERAGE WHICH SHALL NOT BE LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000) PER OCCURRENCE, AND ANY POLICIES PURCHASED UNDER THIS SECTION AFTER THE ADOPTION OF THESE REGULATIONS SHALL CONFORM TO THEM.

(C) THE BOARD SHALL BE CONSIDERED IN COMPLIANCE HEREIN IF IT IS SELF-INSURED, IN AN AMOUNT NOT LESS THAN ONE HUNDRED THOUSAND DOLLARS (\$100,000) PER OCCURRENCE, UNDER RULES AND REGULATIONS PROMULGATED BY THE STATE INSURANCE COMMISSIONER. THE POLICY LIMITS FOR THIS INSURANCE SHALL NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS (\$500,000).

[[(C)]] (D) NOTHING IN THIS SECTION [[SHALL]] MAY BE CONSTRUED AS AFFECTING THE RIGHT OF THE BOARD [[OF TRUSTEES]], ON ITS OWN BEHALF, FROM RAISING THE DEFENSE OF SOVEREIGN IMMUNITY TO ANY AMOUNT IN EXCESS OF THE LIMIT OF AN INSURANCE POLICY.

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 15A be and it is hereby added to Article 77A - Higher Education, of the Annotated Code of Maryland (1969 Replacement Volume and 1973 Supplement) to read as follows:

Article 77A - Higher Education