

Article 25A - Chartered Counties of Maryland

1A.

(A) UNLESS OTHERWISE SPECIFICALLY PROVIDED BY THE LAWS OF MARYLAND, A CHARTERED COUNTY, 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, THE COUNTY, OR ITS OFFICER, DEPARTMENT, AGENCY, BOARD, COMMISSION, OR OTHER UNIT OF GOVERNMENT IS NOT LIABLE FOR PUNITIVE DAMAGES.

(C) A CLAIM IS BARRED UNLESS THE CLAIMANT FILES SUIT WITHIN ONE YEAR FROM THE DATE ON WHICH THE CLAIM AROSE OR WITHIN ONE YEAR AFTER COMPLETION OF THE CONTRACT GIVING RISE TO THE CLAIM, WHICHEVER IS LATER.

(D) IN ORDER TO PROVIDE FOR THE IMPLEMENTATION OF THIS SECTION, THE GOVERNING BODY OF EVERY CHARTERED COUNTY SHALL MAKE AVAILABLE ADEQUATE FUNDS FOR THE SATISFACTION OF ANY FINAL JUDGMENT, AFTER THE EXHAUSTION OF ANY RIGHT OF APPEAL, WHICH HAS BEEN RENDERED AGAINST THE COUNTY, OR ANY OFFICER, DEPARTMENT, AGENCY, BOARD, COMMISSION, OR OTHER UNIT OF GOVERNMENT IN AN ACTION IN CONTRACT AS PROVIDED IN THIS SECTION.

SECTION 5. AND BE IT FURTHER ENACTED, That new Section 13A be and it is hereby added to Article 25B - Home Rule for Code Counties, of the Annotated Code of Maryland (1973 Replacement Volume and 1975 Supplement) to read as follows:

Article 25B - Home Rule for Code Counties

13A.

(A) UNLESS OTHERWISE SPECIFICALLY PROVIDED BY THE LAWS OF MARYLAND, A CODE COUNTY, 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, THE COUNTY, OR ITS OFFICER, DEPARTMENT, AGENCY, BOARD, COMMISSION, OR OTHER UNIT OF GOVERNMENT IS NOT LIABLE FOR PUNITIVE DAMAGES.

(C) A CLAIM IS BARRED UNLESS THE CLAIMANT FILES SUIT WITHIN ONE YEAR FROM THE DATE ON WHICH THE CLAIM