

(A) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE BE INTERPRETED BROADLY TO ASSURE THAT INJURED PARTIES HAVE A REMEDY.

(B) THE PROVISIONS OF THIS SUBTITLE ARE INTENDED TO BE IN ADDITION TO AND NOT IN LIMITATION OF ANY OTHER LAW WAIVING THE SOVEREIGN IMMUNITY OF THE STATE IN TORT OR AUTHORIZING THE STATE TO PURCHASE OR OTHERWISE PROVIDE INSURANCE FOR TORTIOUS CONDUCT.

(C) NOTHING IN THIS SUBTITLE IS INTENDED TO WAIVE ANY RIGHT OF OR DEFENSE AVAILABLE TO THE STATE OR ANY AGENCY, OFFICIAL, OR EMPLOYEE OF THE STATE IN ANY ACTION IN THE COURTS OF THE UNITED STATES OR THE COURTS OF ANY OF MARYLAND'S SISTER STATES, INCLUDING, BUT NOT LIMITED TO, THE DEFENSES AVAILABLE UNDER THE ELEVENTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

(D) NOTHING IN THIS SUBTITLE CONSTITUTES A WAIVER OF ANY IMMUNITY OF A COUNTY, MUNICIPALITY, BI-COUNTY AGENCY, OR OTHER LOCAL GOVERNMENTAL ENTITY OR ANY AGENCY, OFFICIAL, OR EMPLOYEE THEREOF.

5-403.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE IMMUNITY OF THE STATE FROM SUIT IN THE COURTS OF THIS STATE AND LIABILITY IN TORT IS WAIVED IN THE FOLLOWING ACTIONS TO THE EXTENT AND IN THE AMOUNT THAT THE STATE IS COVERED BY A PROGRAM OF INSURANCE ESTABLISHED BY THE TREASURER PURSUANT TO SECTION 27 OF ARTICLE 95.

(1) AN ACTION TO RECOVER DAMAGES CAUSED BY THE NEGLIGENT MAINTENANCE OR OPERATION OF A MOTOR VEHICLE BY A STATE EMPLOYEE;

(2) AN ACTION TO RECOVER DAMAGES CAUSED BY THE NEGLIGENCE OF A HEALTH CARE EMPLOYEE OF A STATE FACILITY OR INSTITUTION OR BY A DOCTOR, NURSE, DENTIST, OR RELATED HEALTH CARE PERSONNEL EMPLOYED BY THE STATE;

(3) AN ACTION TO RECOVER DAMAGES CAUSED BY THE PATENTLY DANGEROUS CONDITION OF A BUILDING, STRUCTURE, OR OTHER PUBLIC IMPROVEMENT OWNED AND CONTROLLED BY THE STATE;

(4) AN ACTION TO RECOVER DAMAGES CAUSED BY THE NEGLIGENT USE OR MAINTENANCE OF STATE PROPERTY BY A STATE EMPLOYEE;

(5) AN ACTION TO RECOVER DAMAGES CAUSED BY A DEFECTIVE, UNSAFE, OR DANGEROUS CONDITIONN OF ANY STREET, ALLEY, SIDEWALK, OR HIGHWAY OWNED AND CONTROLLED BY THE STATE IF CONSTRUCTIVE OR ACTUAL NOTICE OF THE CONDITION EXISTED; AND

(6) AN ACTION TO RECOVER DAMAGES CAUSED BY THE NEGLIGENT FAILURE OF A STATE OFFICER-OR EMPLOYEE TO PROPERLY