

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2006.

Approved April 25, 2006.

CHAPTER 186

(House Bill 668)

AN ACT concerning

Carroll County – Local Government Tort Claims Act – Inclusion of Specified Nonprofit Entities

FOR the purpose of altering the definition of a “local government” under the Local Government Tort Claims Act to include certain nonprofit corporations in Carroll County; providing that a certain notice requirement does not apply to certain actions against certain nonprofit corporations in Carroll County or their employees; and generally relating to the inclusion of certain nonprofit entities in Carroll County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–301 and 5–304

Annotated Code of Maryland

(2002 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

5–301.

(a) In this subtitle the following words have the meanings indicated.

(b) “Actual malice” means ill will or improper motivation.

(c) (1) “Employee” means any person who was employed by a local government at the time of the act or omission giving rise to potential liability against that person.

(2) “Employee” includes:

(i) Any employee, either within or without a classified service or merit system;

(ii) An appointed or elected official; or

(iii) A volunteer who, at the request of the local government, and under its control and direction, was providing services or performing duties.