

(5) THE NEGLIGENT MAINTENANCE OR USE, BY STATE PERSONNEL, OF ANY PROPERTY THAT THE STATE OR ANY OF ITS UNITS OWNS OR POSSESSES;

(6) A DEFECTIVE, UNSAFE, OR DANGEROUS CONDITION OF A STREET, ALLEY, SIDEWALK, OR HIGHWAY THAT THE STATE OR ANY OF ITS UNITS OWNS AND CONTROLS, IF THE STATE OR THE UNIT HAD CONSTRUCTIVE OR ACTUAL NOTICE OF THE CONDITION; OR

(7) THE NEGLIGENT FAILURE OF STATE PERSONNEL TO SUPERVISE PROPERLY AN ACTIVITY AT A STATE PARK OR STATE RECREATION FACILITY.

(B) INSURANCE LIMIT.

IMMUNITY IS WAIVED UNDER THIS SECTION ONLY TO THE EXTENT OF COVERAGE UNDER THE STATE INSURANCE PROGRAM.

(C) EXCLUSIONS AND LIMITATIONS.

IMMUNITY IS NOT WAIVED UNDER THIS SECTION FOR:

(1) PUNITIVE DAMAGES;

(2) INTEREST BEFORE JUDGMENT;

(3) AN INDIVIDUAL CLAIM IN EXCESS OF \$100,000;

(4) TOTAL CLAIMS THAT ARISE FROM THE SAME OCCURRENCE IN EXCESS OF \$500,000;

(5) A CLAIM THAT ARISES FROM THE COMBATANT ACTIVITIES OF THE STATE MILITIA DURING A STATE OF EMERGENCY; OR

(6) A CAUSE OF ACTION THAT LAW SPECIFICALLY PROHIBITS.

(D) EFFECT OF LIMITATIONS.

THE LIMITATIONS ON LIABILITY UNDER SUBSECTION (C)(3) AND (4) OF THIS SECTION DO NOT AFFECT THE AUTHORITY OF THE TREASURER TO PROVIDE INSURANCE, IN ANY AMOUNT, UNDER THE STATE INSURANCE PROGRAM.

REVISOR'S NOTE: This section is new language derived without substantive change from former CJ §§ 5-401(b) and (e), 5-403, and 5-404(a)(1) and former Art. 95, § 27(e).

The introductory language of subsection (a) of this section, "[s]ubject to the exclusions and limitations in this subtitle," is substituted for the former, limited reference to CJ § 5-403(b) -- now subsection (c) of this section -- which failed to reflect other limitations.