

Defined term: "State personnel" § 12-401

12-403. SCOPE OF SUBTITLE.

(A) IN GENERAL.

THIS SUBTITLE DOES NOT AFFECT ANY IMMUNITY OR OTHER DEFENSE THAT IS AVAILABLE TO STATE PERSONNEL.

(B) PAYMENT OF SETTLEMENT OR JUDGMENT.

PAYMENT OF A SETTLEMENT OR JUDGMENT UNDER THIS SUBTITLE DOES NOT ABROGATE THE SOVEREIGN IMMUNITY OF THE STATE, ANY OF ITS UNITS, OR STATE PERSONNEL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 78A, § 16C(a)(5) and the first sentence of (c).

Defined term: "State personnel" § 12-401

12-404. PAYMENT AUTHORIZED.

SUBJECT TO THE LIMITATIONS IN THIS SUBTITLE, THE BOARD OF PUBLIC WORKS MAY:

(1) PAY WHOLLY OR PARTLY A SETTLEMENT OR JUDGMENT AGAINST ANY STATE PERSONNEL; AND

(2) INCLUDE, IN THE PAYMENT, COUNSEL FEES AND COSTS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 78A, § 16C(b)(1), except for the reference to the court rendering judgment and the sources of payment.

The introductory clause of this section, "[s]ubject to the limitations in this subtitle," is added as a general reference to the conditions under § 12-405 of this subtitle.

Defined terms: "Includes"; "including" § 1-101  
"State personnel" § 12-401

12-405. LIMITATIONS.

THE BOARD OF PUBLIC WORKS MAY NOT PAY A SETTLEMENT OR JUDGMENT UNLESS:

(1) THE STATE PERSONNEL SUBMITS TO THE BOARD A WRITTEN APPLICATION THAT SETS FORTH EACH REASON OF THE STATE PERSONNEL FOR BELIEVING THE SETTLEMENT OR JUDGMENT IS A RESPONSIBILITY OF THE STATE;

(2) THE BOARD OR A HEARING OFFICER THAT THE BOARD APPOINTS HOLDS A HEARING ON THE APPLICATION;