

CHAPTER 265

(House Bill 1684)

AN ACT concerning

State Government - Contract Immunity

FOR the purpose of clarifying the scope of the prohibition of the defense of sovereign immunity in certain contract actions to insure that the prohibition is not limited by ~~the State Finance and Procurement Article;~~ certain enactments; providing that this Act does not apply to certain contracts; and generally relating to the prohibition of the defense of sovereign immunity in certain contract actions.

BY repealing

Article - State Government
Section 12-201
Annotated Code of Maryland
(1984 Volume and 1985 Supplement)

BY repealing and reenacting, with amendments,

Article - State Government
Section 12-202, 12-203, and 12-204
Annotated Code of Maryland
(1984 Volume and 1985 Supplement)

BY adding to

Article - State Government
Section 12-204
Annotated Code of Maryland
(1984 Volume and 1985 Supplement)

Preamble

WHEREAS, Chapter 450 of the Acts of 1976, (the "Sovereign Immunity Act") which was codified in Article 41, ~~§-109A~~ § 10A of the Annotated Code of Maryland, prohibited this State and every officer, department, agency, board, commission, or other unit of State government, unless otherwise specifically provided by the laws of Maryland, from raising the defense of sovereign immunity in the courts of this State in an action in contract based upon any written contract executed on behalf of this State, or any of its departments, agencies, boards, commissions, or units by an official or employee acting within the scope of his authority; and