

(b) (1) Except in Anne Arundel County and Baltimore County, the notice shall be given in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, by the claimant or his representative to the county commissioner, county council, or corporate authorities of a defendant municipal corporation or:

- (i) In Baltimore City, to the city solicitor;
- (ii) In Howard County, to the county executive;
- (iii) In Montgomery County, to the county executive; or
- (iv) In Prince George's County, to the county executive.

(2) In Anne Arundel County and Baltimore County, the notice shall be given in person or by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, by the claimant or his representative to the county solicitor or county attorney.

(3) The notice shall be in writing and shall state the time, place, and cause of the injury.

(c) Notwithstanding the other provisions of this section, the court may, upon motion and for good cause shown, entertain the suit even though the required notice was not given, unless the defendant can affirmatively show that its defense has been prejudiced thereby.]

SUBTITLE 4. LOCAL GOVERNMENT TORT CLAIMS ACT

5-401.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "ACTUAL MALICE" MEANS ILL WILL-~~7-~~ OR IMPROPER MOTIVATION~~7-OR-EVIL-PURPOSE.~~

(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