

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY NOT EXECUTE AGAINST AN EMPLOYEE ON A JUDGMENT RENDERED FOR TORTIOUS ACTS OR OMISSIONS COMMITTED BY THE EMPLOYEE WITHIN THE SCOPE OF EMPLOYMENT WITH A LOCAL GOVERNMENT.

(2) (I) AN EMPLOYEE SHALL BE FULLY LIABLE FOR ALL DAMAGES AWARDED IN AN ACTION IN WHICH IT IS FOUND THAT THE EMPLOYEE ACTED WITH ACTUAL MALICE.

(II) IN SUCH CIRCUMSTANCES THE JUDGMENT MAY BE EXECUTED AGAINST THE EMPLOYEE AND THE LOCAL GOVERNMENT MAY SEEK INDEMNIFICATION FOR ANY SUMS IT IS REQUIRED TO PAY UNDER SECTION 5-403(B)(1) OF THIS SUBTITLE.

(C) IF THE INJURY SUSTAINED IS COMPENSABLE UNDER THE WORKERS' COMPENSATION LAW, AN EMPLOYEE MAY NOT SUE A FELLOW EMPLOYEE FOR TORTIOUS ACTS OR OMISSION COMMITTED WITHIN THE SCOPE OF EMPLOYMENT.

(D) (1) THE RIGHTS AND IMMUNITIES GRANTED TO AN EMPLOYEE ARE CONTINGENT ON THE EMPLOYEE'S COOPERATION IN THE DEFENSE OF ANY ACTION.

(2) IF THE EMPLOYEE DOES NOT COOPERATE, THE EMPLOYEE FORFEITS ANY AND ALL RIGHTS AND IMMUNITIES ACCRUING TO THE EMPLOYEE UNDER SUBSECTION (B) OF THIS SECTION.

5-403.

(A) THE LIABILITY OF A LOCAL GOVERNMENT MAY NOT EXCEED ~~\$100,000~~ PER OCCURRENCE ~~\$100,000~~ \$200,000 PER AN INDIVIDUAL CLAIM, AND ~~\$300,000~~ \$500,000 PER TOTAL CLAIMS THAT ARISE FROM THE SAME OCCURRENCE FOR:

~~(1) DAMAGES RESULTING FROM TORTIOUS ACTS OR OMISSIONS,~~ (1) DAMAGES RESULTING FROM TORTIOUS ACTS OR OMISSIONS, INCLUDING

~~(2) LIABILITY ARISING UNDER SUBSECTION (B) OF THIS SECTION.~~

(B) (1) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A LOCAL GOVERNMENT SHALL BE LIABLE FOR ANY JUDGMENT AGAINST--AN-ITS EMPLOYEE FOR DAMAGES RESULTING FROM TORTIOUS ACTS OR OMISSIONS COMMITTED BY THE EMPLOYEE WITHIN THE SCOPE OF EMPLOYMENT WITH THE LOCAL GOVERNMENT.

(2) A LOCAL GOVERNMENT MAY NOT ASSERT GOVERNMENTAL OR SOVEREIGN IMMUNITY TO AVOID THE DUTY TO DEFEND OR INDEMNIFY AN EMPLOYEE ESTABLISHED IN THIS SUBSECTION.

(C) A LOCAL GOVERNMENT MAY NOT BE LIABLE FOR PUNITIVE DAMAGES.