

(C) NOTWITHSTANDING THE OTHER PROVISIONS OF THIS SECTION, UNLESS THE DEFENDANT CAN AFFIRMATIVELY SHOW THAT ITS DEFENSE HAS BEEN PREJUDICED BY LACK OF REQUIRED NOTICE, UPON MOTION AND FOR GOOD CAUSE SHOWN THE COURT MAY ENTERTAIN THE SUIT EVEN THOUGH THE REQUIRED NOTICE WAS NOT GIVEN.

Article 25A - Chartered Counties of Maryland

5.

The following enumerated express powers are granted to and conferred upon any county or counties which hereafter form a charter under the provisions of Article XI-A of the Constitution, that is to say:

[(CC)

To provide by ordinance or inclusion in the county charter for the waiver of sovereign immunity so that the county may be sued in tort actions in the same manner and to the same extent that any private person may be sued. Any chartered county enacting legislation or otherwise waiving sovereign immunity under this subsection shall carry comprehensive liability insurance to protect itself, its agents and its employees. The purchase of this insurance shall be considered as for a public purpose and as a valid public expense. The liability of any county under this subsection may not be greater than \$250,000 or the amount of its insurance coverage, whichever is greater, per individual per occurrence. A county which has adopted legislation or otherwise availed itself of the powers contained in this subsection may raise the defense of sovereign immunity to any amount in excess of the limit of its insurance coverage. In any case, the several counties or any county availing itself of the privileges of this subsection may not raise the defense of sovereign immunity in any claim of less than \$250,000 or the amount of its insurance coverage, whichever is greater.]

SECTION 2. AND BE IT FURTHER ENACTED, That any provision or portion of a statute, law, ordinance, or charter provision enacted by a local government which is inconsistent with any provision of this Act is repealed.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act applies only to actions arising from events occurring on or after the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That every insurer providing liability insurance to a local government, as defined in this Act, in this State shall submit to the Insurance Commissioner information on the nature and cost of reinsurance,