

[(3)] (7) (i) "Agent of [a charitable organization] AN ASSOCIATION OR ORGANIZATION" means a person who is or was a director, officer, employee of [a charitable organization] AN ASSOCIATION OR ORGANIZATION or who, on a volunteer basis, is or was providing services or performing duties on behalf of [a charitable organization] AN ASSOCIATION OR ORGANIZATION.

(ii) "Agent of [a charitable organization] AN ASSOCIATION OR ORGANIZATION" does not include independent contractors that provide services on a contract basis.

[(4)](8) "Suit" means any civil action, except any health care malpractice action, brought against an agent of [a charitable organization] AN ASSOCIATION OR ORGANIZATION or against the [charitable organization] ASSOCIATION OR ORGANIZATION by virtue of the agent's acts or omissions in providing services or performing duties on behalf of the [charitable organization] ASSOCIATION OR ORGANIZATION.

(b) Except as provided in subsection (d) of this section, an agent of [a charitable organization] AN ASSOCIATION OR ORGANIZATION is not personally liable for damages in any suit if:

(1) The [charitable organization] ASSOCIATION OR ORGANIZATION maintains insurance covering liability incurred by the ASSOCIATION OR organization or its agents, or both, as a result of the acts or omissions of its agents in providing services or performing duties on behalf of the [charitable organization] ASSOCIATION OR ORGANIZATION;

(2) The terms of the insurance policy under which the insurance is maintained provide coverage for the act or omission which is the subject matter of the suit and no meritorious basis exists for the denial of the coverage by the insurance carrier; and

(3) The insurance has:

(i) A limit of coverage of not less than \$200,000 per individual claim, and \$500,000 per total claims that arise from the same occurrence; and

(ii) 1. If the insurance has a deductible, a deductible amount not greater than \$10,000 per occurrence; or

2. If there is coinsurance, a rate of coinsurance not greater than 20 percent.

(c) In suits to which the provisions of subsection (b) of this section apply, the plaintiff may recover damages from the [charitable organization] ASSOCIATION OR ORGANIZATION only to the extent of the applicable limit of insurance coverage including any amount for which the [charitable organization] ASSOCIATION OR