

WILLIAM DONALD SCHAEFER, Governor

Maryland Tort Claims Act - State Personnel

FOR the purpose of expanding the class of individuals defined as "State personnel" and clarifying certain activities to be within the scope of public duties of State personnel.

BY repealing and reenacting, with amendments,

Article - State Government
Section 12-101 and 12-105
Annotated Code of Maryland
(1984 Volume and 1986 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - State Government

Title 12. Immunity and Liability

12-101.

In this subtitle, unless the context clearly requires otherwise, "State personnel" means:

(1) a classified, unclassified, or contractual employee of the State whose compensation is paid wholly or partly from State funds;

(2) a key employee of the Maryland Port Administration, as described in § 6-204(n) of the Transportation Article;

(3) a person who, as a volunteer, is providing a service to or for the State; [or]

(4) an individual who, with or without compensation, exercises a part of the sovereignty of the State; OR

(5) A STUDENT ENROLLED IN A STATE EDUCATIONAL INSTITUTION:

(I) WHO IS PROVIDING SERVICES TO THIRD PARTIES IN THE COURSE OF PARTICIPATION IN AN APPROVED CLINICAL TRAINING OR ACADEMIC PROGRAM;

(II) WHO, AS DETERMINED BY THE TREASURER, IS REQUIRED TO HAVE LIABILITY INSURANCE COVERING CLAIMS ARISING FROM SERVICES TO THIRD PARTIES PERFORMED BY THE STUDENT IN THE COURSE OF THE APPROVED CLINICAL TRAINING OR ACADEMIC PROGRAM;