

(i) the Attorney General may not compromise or settle the claim against the officer or employee without the written consent of the officer or employee;

(ii) if the officer or employee will not consent, the Attorney General may withdraw the appearance in accordance with the appropriate court rules; and

(iii) the State is not responsible for any costs after the withdrawal; and

(5) includes any other provisions that the Attorney General considers necessary.

12-310.

(a) This section does not apply to the extent that a State officer or State employee is reimbursed under § 12-309 of this subtitle.

(b) The State is liable to a State officer or State employee for reimbursement of court costs, counsel fees, and other reasonable expenses that the officer or employee incurs in defending an action or proceeding if:

(1) the Attorney General declined representation under § 12-304(b)(1) of this subtitle; and

(2) it is determined judicially that:

(i) the defense of sovereign immunity is available to the officer or employee; or

(ii) injuries arose from an act or omission of the officer or employee and, when the act or the omission was made, the officer or employee was acting within the scope of employment and the act or omission was not malicious and was not grossly negligent.

[(c) With the approval of the Attorney General, the unit by which the officer or employee was employed when the act or omission was made shall pay the reimbursement under this section.]

(C) REIMBURSEMENT UNDER THIS SECTION SHALL BE SUBJECT TO THE PROVISIONS OF SUBTITLE 5 OF THIS TITLE.

12-314.

Subject to the limitations in this Part III of this subtitle, the Board of Public Works may [reimburse] APPROVE REIMBURSEMENT OF a State officer or State employee OR OTHERWISE