

In subsection (a)(3) of this section, the former references to a payroll "certificate" are revised to refer instead to a payroll "authorization", in accordance with long-standing Departmental understanding and administrative practice. Also, the reference to a payroll authorization being provided for "by law" is added for clarity. See § 6-404 of this article.

Also in subsection (a)(3) of this section, the reference to a violation of a "regulation" is added for consistency with subsection (a)(1) and (2).

In subsection (b) of this section, the reference to the Attorney General's filing a "notice of release or satisfaction" is substituted for the former reference to a "written order" of the Attorney General. The former language was misleading in that the Attorney General does not "order" an entry on court records.

Defined terms: "Person" § 1-101
"Secretary" § 1-101

14-103. LIMITATION ON DEFENSE OF SOVEREIGN IMMUNITY.

EXCEPT AS OTHERWISE SPECIFICALLY PROVIDED BY STATE LAW, THIS STATE, ITS OFFICERS, AND ITS UNITS MAY NOT RAISE THE DEFENSE OF SOVEREIGN IMMUNITY IN ANY ADMINISTRATIVE, ARBITRATION, OR JUDICIAL PROCEEDING INVOLVING AN EMPLOYEE GRIEVANCE OR HEARING THAT IS HELD UNDER:

- (1) THIS DIVISION I OR A REGULATION ADOPTED UNDER IT; OR
- (2) A PERSONNEL POLICY OR REGULATION THAT GOVERNS CLASSIFIED EMPLOYEES OF THE UNIVERSITY OF MARYLAND SYSTEM.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 64A, § 56(b) and, as it related to the defense of sovereign immunity in proceedings under this Division I, § 56(a).

The former examples of various types of actions involving employees are deleted as included in the general reference to an "employee grievance or hearing".

As to limitations on the use of sovereign immunity as a defense against salary awards in employment discrimination cases, see Art. 49B, § 17A of the Code, which revises the second sentence of former Art. 64A § 56(b) and, as it related to the defense of sovereign immunity in employment discrimination cases, § 56(a).

14-104. SATISFACTION OF AWARDS.

(A) "AWARD" DEFINED.

IN THIS SECTION, "AWARD" MEANS A FINAL MONETARY OR BENEFIT AWARD OR JUDGMENT IN AN ADMINISTRATIVE, ARBITRATION, OR JUDICIAL PROCEEDING INVOLVING AN EMPLOYEE GRIEVANCE OR HEARING THAT IS HELD UNDER: