

(i) The damages were the result of the volunteer's negligent operation of a motor vehicle; or

(ii) The damages were the result of the volunteer's willful, wanton, malicious, reckless, or grossly negligent act or omission.

(3) The limitations on liability contained in this subsection may not be construed or applied to affect any immunities from civil liability or defenses established by any other provision of the Code or [by] AVAILABLE AT common law to which the volunteer may be entitled.

(g) Except as provided in subsection (e) or (f) of this section, a judgment in tort for damages against a county board employee acting within the scope of employment or a volunteer acting within the scope of the volunteer's services or duties shall be levied against the county board only and may not be executed against the county board employee or the volunteer [individually] PERSONALLY.

#### Article - Education

4-105.1.

(a) [(1) In this section the following words have the meanings indicated.

(2) "Compensation" does not include actual and necessary expenses that are incurred by a volunteer in connection with the services that the volunteer performs for a county board of education and that are reimbursed.

(3) "County board employee" means:

(i) Any employee whose compensation is paid in whole or in part by a county board;

(ii) A student teacher; or

(iii) An elected or appointed member of the county board.

(4) "Volunteer" means an individual who, at the request of the county board, and under its control and direction, provides services or performs duties for the board without compensation.

(b) (1) A county board employee shall have the immunity from liability described under § 5-353 of the Courts and Judicial Proceedings Article.

[(2)](B) A volunteer shall have the immunity from liability described under § 5-353 of the Courts and Judicial Proceedings Article.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to any suit filed on or after the effective date of this Act, regardless of when the cause of action arose.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any cause of action arising before the effective date of this Act.