

(1989 Replacement Volume and 1994 Supplement)

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

Article – Education

1-101.

(d) "County board" means the board of education of a county and includes the Board of School Commissioners of Baltimore City.

4-105.1.

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

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

(C) A COUNTY BOARD MEMBER SHALL HAVE THE IMMUNITY FROM LIABILITY DESCRIBED UNDER § 5-353 OF THE COURTS ARTICLE.

Article – Courts and Judicial Proceedings

5-353.

(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 provided or duties performed by the volunteer for a county board of education, and that are reimbursed to the volunteer or otherwise paid.

(3) "County board employee" means:

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

(ii) A student teacher [; or

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

(4) "COUNTY BOARD MEMBER" MEANS A DULY ELECTED OR APPOINTED MEMBER OF A COUNTY BOARD OF EDUCATION.

[(4)](5) "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 county board without compensation.

(b) A county board of education, described under Title 4, Subtitle 1 of the Education Article, may raise the defense of sovereign immunity to any amount claimed above the limit of its insurance policy or, if self-insured or a member of a pool described under § 4-105(c)(1)(ii) of the Education Article, above \$100,000.