

(2) ~~"Agent" means an officer, director, trustee, employee, or volunteer of a provider, but does not mean an offender.~~

(3) ~~"Offender" means a person assigned or ordered to perform community service:~~

(i) ~~By a court according to the provisions of Article 27, § 726A of the Code or § 3-820 of this article; [or]~~

(ii) ~~By an intake officer under § 3-810 of this article; OR~~

(iii) ~~BY A COMMUNITY SERVICE COORDINATOR UNDER § 3-835.1 OF THIS ARTICLE.~~

(4) ~~"Private provider" means an organization that:~~

(i) ~~Is exempt from taxation under § 501(c) of the Internal Revenue Code; and~~

(ii) 1. ~~Is approved by a community service program administrator for participation in a community service program as described in Article 27, § 726A of the Code; or~~

2. ~~Provides work projects for juveniles assigned or ordered to perform community service under [§ 3-810 or] § 3-810, § 3-820 OR § 3-835.1 of this article.~~

(5) ~~"Public provider" means a unit of State or local government that is subject to Title 12, Subtitle 1 of the State Government Article (Maryland Tort Claims Act) or Title 5, Subtitle 4 of this article (Local Government Tort Claims Act) and that refers an offender to or provides a work project to which an offender is ordered or assigned to work.~~

(b) (1) ~~A private provider shall be liable up to the limits of the liability insurance coverage required under paragraph (3) of this subsection or any applicable insurance coverage, whichever is greater, for the negligent acts or omissions of:~~

(i) ~~The private provider or its agents in providing projects or services to, or performing duties for or on behalf of, a community service program; and~~

(ii) ~~An offender in the course of participating in a work project the private provider has provided for a community service program.~~

(2) ~~A private provider shall not be liable for the conduct of an offender unless the offender's conduct was:~~

(i) ~~In the course of the offender's participation in a project which the private provider has provided for a community service program; and~~

(ii) ~~Within the scope of the duties which the offender was assigned or ordered to perform.~~

(3) ~~A private provider shall maintain liability insurance in at least the amounts specified in § 5-312(b)(3) of this subtitle.~~