

of local government for purposes of the Local Government Tort Claims Act; providing for the application of this Act; and generally relating to ~~the Baltimore City Police Department~~ including the Baltimore City Police Department and its employees within the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5-401

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)

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

Article – Courts and Judicial Proceedings

5-401.

(a) In this subtitle the following words have the meanings indicated.

(b) “Actual malice” means ill will or improper motivation.

(c) (1) “Employee” means any person who was employed by a local government at the time of the act or omission giving rise to potential liability against that person.

(2) “Employee” includes:

(i) Any employee, either within or without a classified service or merit system;

(ii) An appointed or elected official; or

(iii) A volunteer who, at the request of the local government, and under its control and direction, was providing services or performing duties.

(d) “Local government” means:

(1) A chartered county established under Article 25A of the Code;

(2) A code county established under Article 25B of the Code;

(3) A board of county commissioners established or operating under Article 25 of the Code;

(4) Baltimore City;

(5) A municipal corporation established or operating under Article 23A of the Code;

(6) The Maryland–National Capital Park and Planning Commission;

(7) The Washington Suburban Sanitary Commission;

(8) The Northeast Maryland Waste Disposal Authority;