

(e) A local government may assert on its own behalf any common law or statutory defense or immunity in existence as of June 30, 1987, and possessed by its employee for whose tortious act or omission the claim against the local government is premised and a local government may only be held liable to the extent that a judgment could have been rendered against such an employee under this subtitle.

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 final judgment entered before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.

CHAPTER 638

(House Bill 450)

AN ACT concerning

Militia

FOR the purpose of clarifying and updating the laws governing the organized and unorganized militia of the State; clarifying and revising the Governor's powers to call out the militia and make appointments to the Maryland National Guard; revising the list of exemptions to the unorganized militia; repealing obsolete language and provisions governing the organization, responsibilities, rights, procedures, and powers of the militia; revising certain language; clarifying and revising the criteria for the appointment, terms of employment, and salaries of the Adjutant General, Assistant Adjutants General, officers, and other personnel in the Maryland National Guard; authorizing the Adjutant General to appoint and requiring certain personnel to serve at the pleasure of the Adjutant General; providing that the Adjutant General is a member of the Governor's cabinet; altering the criteria and qualifications for tuition assistance for members of the Maryland National Guard; altering provisions relating to the reenlistment of certain members of the Guard; and generally relating to the clarification and revision of the laws governing the militia.

BY repealing and reenacting, with amendments,

Article 65 - Militia

Section 1, 2, 4, 5, 9, 12A, 14, 16(b), 23, 24, 32, 35, 36, 42, and 66

Annotated Code of Maryland

(1998 Replacement Volume)

BY repealing

Article 65 - Militia

Section 3, 7, 9A, 11, 13, 27, 29, 30, 31, 34, 38, 39, 53, 56, 57, 58, and 76