

reporting the total positions created and the cost and the funding source for any positions created by the University in the previous fiscal year.

[(iv) The total number of positions authorized under this paragraph shall be limited as specified annually in the State budget bill.]

(P) (1) THE BOARD OF REGENTS:

(I) HAS THE POWER TO SUE OR BE SUED; AND

(II) MAY CARRY COMPREHENSIVE LIABILITY INSURANCE TO PROTECT THE BOARD OF REGENTS, ITS AGENTS, AND EMPLOYEES.

(2) THE DETERMINATION WHETHER TO PURCHASE INSURANCE, AND ITS SCOPE AND LIMITATIONS, SHALL BE WITHIN THE BOARD OF REGENTS' DISCRETION, TAKING INTO ACCOUNT COMMERCIAL AVAILABILITY AND AFFORDABILITY AND THE EXISTENCE AND EXTENT OF INSURANCE SECURED BY THE STATE TREASURER.

(3) (I) TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE MARYLAND TORT CLAIMS ACT APPLIES TO CLAIMS OR ACTIONS AGAINST THE UNIVERSITY, THE BOARD OF REGENTS, AND EMPLOYEES OF THE UNIVERSITY.

(II) SUBJECT TO ALL EXCLUSIONS AND LIMITATIONS IN THAT SUBTITLE, THE IMMUNITY OF THE COLLEGE IS WAIVED TO THE EXTENT OF ANY INSURANCE COVERAGE PURCHASED UNDER THIS SUBSECTION.

(4) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR ABROGATE SOVEREIGN IMMUNITY WITH RESPECT TO ANY CLAIM THAT IS NOT COVERED BY OR EXCEEDS THE LIMITS OF AN INSURANCE POLICY.

(5) THIS SUBSECTION MAY NOT BE CONSTRUED TO WAIVE OR ABROGATE THE IMMUNITY OF THE UNIVERSITY UNDER THE ELEVENTH AMENDMENT TO THE UNITED STATES CONSTITUTION.

(6) (I) SUBJECT TO THE APPROVAL OF THE BOARD OF PUBLIC WORKS, THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR OTHERWISE DISPOSE OF REAL PROPERTY HELD BY THE STATE FOR THE USE OF THE UNIVERSITY.

(II) THE BOARD MAY ACQUIRE, LEASE, ENCUMBER, SELL, OR OTHERWISE DISPOSE OF PERSONAL PROPERTY.

(III) ALL PROPERTY OF THE UNIVERSITY IS THE PROPERTY OF THE STATE.

14-109.

(A) (1) EXCEPT AS PROVIDED IN § 11-203(E) OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE UNIVERSITY IS EXEMPT FROM DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) (I) SUBJECT TO REVIEW AND APPROVAL BY THE BOARD OF PUBLIC WORKS AND THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW