

(E) IF THE COMMISSION SEEKS COMPENSATORY DAMAGES UNDER THIS SECTION:

(1) ANY PARTY MAY DEMAND A TRIAL BY JURY; AND

(2) THE COURT MAY NOT INFORM THE JURY OF THE LIMITATIONS ON COMPENSATORY DAMAGES IMPOSED UNDER § 11(E)(5) OF THIS SUBTITLE.

11B.

(A) IN ADDITION TO THE RIGHT TO MAKE AN ELECTION AUTHORIZED UNDER § 11A OF THIS SUBTITLE, A COMPLAINANT MAY BRING A CIVIL ACTION AGAINST THE RESPONDENT ALLEGING A DISCRIMINATORY ACT IF:

(1) THE COMPLAINANT INITIALLY FILED AN ADMINISTRATIVE CHARGE OR A COMPLAINT UNDER FEDERAL, STATE, OR LOCAL LAW ALLEGING A DISCRIMINATORY ACT BY THE RESPONDENT; AND

(2) AT LEAST 180 DAYS HAVE ELAPSED SINCE THE FILING OF THE ADMINISTRATIVE CHARGE OR COMPLAINT.

(B) A CIVIL ACTION UNDER THIS SECTION MAY BE FILED IN THE CIRCUIT COURT OF THE COUNTY WHERE THE ALLEGED ACT OF DISCRIMINATION TOOK PLACE.

(C) IN ADDITION TO THE RELIEF AUTHORIZED UNDER SUBSECTIONS (D) AND (E) OF THIS SECTION, THE COURT MAY AWARD PUNITIVE DAMAGES IF:

(1) THE RESPONDENT IS NOT A GOVERNMENT ENTITY OR POLITICAL SUBDIVISION; AND

(2) THE COURT FINDS THAT THE RESPONDENT HAS ENGAGED IN OR IS ENGAGING IN AN UNLAWFUL EMPLOYMENT PRACTICE WITH ACTUAL MALICE.

(D) COMPENSATORY DAMAGES AWARDED UNDER THIS SECTION ARE IN ADDITION TO:

(1) BACK PAY OR INTEREST ON BACK PAY THAT THE COMPLAINANT IS ENTITLED TO RECOVER UNDER ANY OTHER PROVISION OF LAW; AND