

(2) The court finds that the respondent has engaged in or is engaging in an unlawful employment practice with actual malice.

[(d)] (E) 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

(2) Any other equitable relief the complainant is entitled to recover under any other provision of law.

[(e)] (F) The sum of the amount of compensatory damages awarded to each complainant under this section, for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses, and the amount of punitive damages awarded under [this] SUBSECTION (D) OF THIS section may not exceed:

(1) \$50,000 if the respondent employs not fewer than 15 and not more than 100 employees in each of 20 or more calendar weeks in the current or preceding calendar year;

(2) \$100,000, if the respondent employs not fewer than 101 and not more than 200 employees in each of 20 or more calendar weeks in the current or preceding calendar year;

(3) \$200,000, if the respondent employs not fewer than 201 and not more than 500 employees in each of 20 or more calendar weeks in the current or preceding calendar year; and

(4) \$300,000, if the respondent employs not fewer than 501 employees in each of 20 or more calendar weeks in the current or preceding calendar year.

[(f)](G) If a complainant seeks compensatory or punitive 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 imposed ON COMPENSATORY AND PUNITIVE DAMAGES under subsection [(e)] (F) of this section.

**(H) IF BACK PAY IS AWARDED UNDER THIS SECTION, INTERIM EARNINGS OR AMOUNTS EARNABLE WITH REASONABLE DILIGENCE BY THE PERSON OR PERSONS DISCRIMINATED AGAINST SHALL OPERATE TO REDUCE THE BACK PAY OTHERWISE ALLOWABLE.**