

(2) At least 180 days have elapsed since the filing of the administrative charge or complaint; AND

**(3) THE CIVIL ACTION IS FILED NO MORE THAN 2 YEARS AFTER THE OCCURRENCE OF THE ALLEGED ACT OF DISCRIMINATION.**

(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) THE FILING OF A CIVIL ACTION UNDER THIS SECTION SHALL SERVE TO AUTOMATICALLY TERMINATE ANY PROCEEDING BEFORE THE COMMISSION BASED ON THE UNDERLYING ADMINISTRATIVE COMPLAINT AND ANY AMENDMENT TO THE COMPLAINT.

[(c)] (D) In addition to the relief authorized under [subsections (d) and (e)] SUBSECTION (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)] (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;