

This State, its officers, and its units may not raise sovereign immunity as a defense against [a salary] AN award in an employment discrimination case under [§ 16 of] this article.

17B.

(A) IF THE STATE HAS SUFFICIENT MONEY AVAILABLE AT THE TIME AN AWARD IS MADE AGAINST THE STATE UNDER THIS ARTICLE, THE STATE SHALL PAY THE AWARD AS SOON AS PRACTICABLE WITHIN 20 DAYS AFTER THE AWARD IS FINAL.

(B) (1) IF SUFFICIENT MONEY IS NOT AVAILABLE AT THE TIME AN AWARD IS MADE AGAINST THE STATE UNDER THIS ARTICLE, THE AFFECTED STATE UNIT OR OFFICER SHALL REPORT THE OUTSTANDING AWARD TO THE STATE COMPTROLLER.

(2) THE COMPTROLLER SHALL:

(I) KEEP AN ACCOUNTING OF ALL OUTSTANDING AWARDS;
AND

(II) REPORT THAT ACCOUNTING ANNUALLY TO THE GOVERNOR.

(C) (1) THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET SUFFICIENT MONEY TO PAY ALL AWARDS MADE AGAINST THE STATE UNDER THIS ARTICLE.

(2) ON APPROPRIATION OF MONEY BY THE GENERAL ASSEMBLY, THE COMPTROLLER SHALL AUTHORIZE PAYMENT OF ALL OUTSTANDING AWARDS UNDER THIS ARTICLE IN THE ORDER OF THE DATE ON WHICH EACH AWARD WAS MADE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

Approved by the Governor, May 22, 2008.

CHAPTER 589

(Senate Bill 545)