

AN ACT concerning

Maryland Tort ~~Claiming~~ Claims Act

FOR the purpose of amending a definition; correcting punctuation; amending the procedure for final denial of a claim; providing for the tolling of the statute of limitations under certain circumstances; and providing for a combination of sources for the coverage of liability.

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 5-401(e), 5-404(b), and 5-406(a)
Annotated Code of Maryland
(1980 Replacement Volume and 1981 Supplement)

BY repealing and reenacting, with amendments,

Article 95 - Treasurer
Section 27(d)
Annotated Code of Maryland
(1979 Replacement Volume and 1981 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland read(s) as follows:

Article - Courts and Judicial Proceedings

5-401.

(e) "State property" means any tangible property, real, personal, or mixed, which is owned BY or in the possession of the State.

5-404.

(b) A State employee who has acted within the scope of his public duties, absent malice[,] or gross negligence, is not liable in his individual capacity for any damages resulting from tortious conduct for which the State has waived its immunity under this subtitle, even when the damages exceed the limits of the State's waiver of immunity.

5-406.

(a) (1) Except as provided in paragraph (2) of this subsection, an action may not be instituted pursuant to this subtitle unless the claimant has first presented the claim in writing to the State Treasurer or his designee and the claim has been FINALLY denied. A FINAL DENIAL SHALL BE in