

ENGROSSED SENATE
BILL NO. 282

By: Shedrick of the Senate

and

Toure of the House

An Act relating to limitations of actions; amending
12 O.S. 1991, Section 100, which relates to
limitation of new action after reversal or failure
other than on merits; clarifying that Governmental
Tort Claims Act is subject to certain extension;
and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 12 O.S. 1991, Section 100, is
amended to read as follows:

Section 100. If any action, including, but not limited to, an
action brought pursuant to the provisions of the Governmental Tort
Claims Act, Section 151 et seq. of Title 51 of the Oklahoma
Statutes, is commenced within due time, and a judgment thereon for
the plaintiff is reversed, or if the plaintiff should fail in ~~such~~
the action otherwise than upon the merits, the plaintiff, or, if ~~he~~
the plaintiff should die, and the cause of action survive, ~~his~~
~~representatives~~ the plaintiff's representative may commence a new
action within one (1) year after the reversal or failure although
the time limit for commencing the action shall have expired before
the new action is filed.

SECTION 2. This act shall become effective November 1, 1995.

Passed the Senate the 28th day of February, 1995.

President of the Senate

Passed the House of Representatives the ____ day of

_____, 1995.

Speaker of the House of
Representatives