

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 2202

By: Sparks

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5  
6 AS INTRODUCED

7 An Act relating to the Governmental Tort Claims Act;  
8 amending 51 O.S. 2001, Section 155.1, which relates  
9 to claims relating to roads; clarifying reference;  
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 51 O.S. 2001, Section 155.1, is  
13 amended to read as follows:

14 Section 155.1. Nothing contained in ~~this act~~ the Governmental  
15 Tort Claims Act shall be construed as allowing an action or recovery  
16 against the state or any of its officers or employees on a claim or  
17 cause of action founded upon any loss occurring from a defect or  
18 dangerous condition on any road, street or highway which was in  
19 existence, whether known or unknown:

20 1. On October 1, 1985; or

21 2. When an existing facility became or becomes a part of the  
22 state highway system; or

1           3. When an existing facility became or becomes the maintenance  
2 responsibility of the state, to the extent of that responsibility as  
3 required by law.

4           To the extent that the state is required by law to maintain a  
5 road, street, or highway within the territorial limits of a  
6 political subdivision, the political subdivision shall not be liable  
7 for any loss occurring from a defect or dangerous condition in the  
8 area required to be maintained by the state.

9           SECTION 2. This act shall become effective November 1, 2010.

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