

1 ENGROSSED SENATE
2 BILL NO. 1761

By: Sykes of the Senate

3 and

4 Wright of the House

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6
7 An Act relating to the Governmental Tort Claims Act;
8 amending 51 O.S. 2011, Section 153, which relates to
9 liability; clarifying statutory references;
10 construing provisions; and providing an effective
11 date.

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

13 SECTION 1. AMENDATORY 51 O.S. 2011, Section 153, is
14 amended to read as follows:

15 Section 153. A. The state or a political subdivision shall be
16 liable for loss resulting from its torts or the torts of its
17 employees acting within the scope of their employment subject to the
18 limitations and exceptions specified in ~~this act~~ the Governmental
19 Tort Claims Act and only where the state or political subdivision,
20 if a private person or entity, would be liable for money damages
21 under the laws of this state. The state or a political subdivision
22 shall not be liable under the provisions of ~~this act~~ the
23 Governmental Tort Claims Act for any act or omission of an employee
24 acting outside the scope of his or her employment.

1 B. The liability of the state or political subdivision under
2 ~~this act~~ the Governmental Tort Claims Act shall be exclusive and in
3 place of all other liability of the state, a political subdivision
4 or employee at common law or otherwise.

5 C. The Governmental Tort Claims Act shall not be construed to
6 limit the liability of the state or a political subdivision for any
7 adverse personnel action taken against an employee for refusal to
8 attend a religious event or an event sponsored by a religious
9 organization.

10 SECTION 2. This act shall become effective November 1, 2012.

11 Passed the Senate the 13th day of March, 2012.

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14 Presiding Officer of the Senate

15 Passed the House of Representatives the ____ day of _____,
16 2012.

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19 Presiding Officer of the House
20 of Representatives

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