

1 **SENATE FLOOR VERSION**

2 February 27, 2012

3 SENATE BILL NO. 1761

By: Sykes of the Senate

4 and

5 Wright of the House

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

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

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

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

1 Governmental Tort Claims Act for any act or omission of an employee
2 acting outside the scope of his or her employment.

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-21-12 - DO
14 PASS, As Coauthored.

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