

1 STATE OF OKLAHOMA

2 1st Extraordinary Session of the 54th Legislature (2013)

3 SENATE BILL 8x

By: Bingman and Sykes of the
Senate

4 and

5 Shannon of the House

6
7 AS INTRODUCED

8 An Act relating to joint and several liability;
9 repealing Section 23, Chapter 228, O.S.L. 2009;
10 amending 23 O.S. 2011, Section 15, which relates to
11 joint tortfeasor liability; modifying certain
12 exemption; modifying applicability of provisions;
13 amending 23 O.S. 2011, Section 15, as amended by
14 Section 2 of this act, which relates to joint
15 tortfeasor liability; modifying certain exemption;
16 and declaring an emergency.

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

18 SECTION 1. REPEALER Section 23, Chapter 228, O.S.L.
19 2009, is hereby repealed.

20 SECTION 2. AMENDATORY 23 O.S. 2011, Section 15, is
21 amended to read as follows:

22 Section 15. A. In any civil action based on fault and not
23 arising out of contract, the liability for damages caused by two or
24 more persons shall be several only and a joint tortfeasor shall be
liable only for the amount of damages allocated to that tortfeasor.

B. This section shall not apply to actions brought by ~~or on~~
~~behalf of~~ the state or a political subdivision of the state or any

1 action in which no comparative negligence is found to be
2 attributable to the plaintiff.

3 C. The provisions of this section shall apply to all civil
4 actions based on fault and not arising out of contract that accrue
5 on or after November 1, 2011.

6 SECTION 3. AMENDATORY 23 O.S. 2011, Section 15, as
7 amended by Section 2 of this act, is amended to read as follows:

8 Section 15. A. In any civil action based on fault and not
9 arising out of contract, the liability for damages caused by two or
10 more persons shall be several only and a joint tortfeasor shall be
11 liable only for the amount of damages allocated to that tortfeasor.

12 B. This section shall not apply to actions brought by or on
13 behalf of the state ~~or a political subdivision of the state or any~~
14 ~~action in which no comparative negligence is found to be~~
15 ~~attributable to the plaintiff.~~

16 C. The provisions of this section shall apply to all civil
17 actions based on fault and not arising out of contract that accrue
18 on or after ~~November 1, 2011~~ the effective date of this act.

19 SECTION 4. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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