

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	SB 1311
Version:	ENGR
Request Number:	
Author:	Rep. Kannady
Date:	4/28/2022
Impact:	See analysis below

Research Analysis

SB 1311 modifies the Governmental Tort Claims Act by providing that for the purposes of The Governmental Tort Claims Act, employee shall include independent contractors and employees of independent contractors while actively engaged in the transport of individuals in need of initial assessment, emergency detention, or protective custody for mental health evaluation. The measure modifies the definition of "tort" to clarify that it does not include a claim for inverse condemnation. The measure also provides that claims for relief relating to such employees must include the name and address of all health care providers who treated the claimant since the date and time of the circumstances claimant set forth in the notice of claim as well as a HIPPA compliant authorization for release of health information for each provider named. If the written notice of claim demands relief for loss of earnings, the claimant shall provide the documentation of the loss of earnings since the date and time of the circumstances. If the written notice of claim demands relief for losses of real or personal property, the claimant shall provide the amount of the property loss claimed, the method used to calculate the amount of loss, documentation relied upon in determining the amount of loss, and proof of the claimant's ownership of property.

Prepared By: Brad Wolgamott

Fiscal Analysis

In its current form, SB 1311 may have a fiscal impact on the state's budget. For the purposes of the Governmental Tort Claims Act, the measure expands the definition of an employee to include certain independent contractors, which may increase the amount of potential claims filed against the state. The exact impact would be dependent on the number and disposition of claims.

Prepared By: Nathan Shugart

Other Considerations

None.