

Bill Summary
2nd Session of the 60th Legislature

Bill No.:	SB 1763
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Author:	Sen. Jett
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Bill Analysis

SB 1763 provides that a judge who sets a light sentence or sets unreasonably low bail as well as any prosecutor that refuses to prosecute a felony offense shall be held personally liable in a civil action for damages proximately caused if the individual subsequently commits a heinous subsequent crime within 5 years. The measure clarifies that qualified immunity shall not apply in such actions and that such individuals may be liable for compensatory damages, punitive damages, and restitution to the victim or the victim's family for economic and noneconomic losses. Such civil actions must be commenced within 3 years after the commission of the heinous subsequent crime. If gross negligence is proven beyond a reasonable doubt, the listed individuals shall be guilty of a felony and shall be subject to 1/2 of the imprisonment term that could have been imposed on the original offender and/or a maximum fine of \$100,000.00.

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