



Amendment No. 7S

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCB: Select Committee on Claim
2 Bills

3 Representative Hager offered the following:

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5 **Substitute Amendment (with title amendment)**

6 Remove lines 264-316 and insert:

7 (c) Neither the state nor its agencies or subdivisions
8 shall be liable to pay a claim or a judgment by any one person
9 which exceeds the sum of \$200,000 or any claim or judgment, or
10 portions thereof, which, when totaled with all other claims or
11 judgments paid by the state or its agencies or subdivisions
12 arising out of the same incident or occurrence, exceeds the sum
13 of \$300,000. However, a judgment or judgments may be claimed and
14 rendered in excess of these amounts and may be settled and paid
15 pursuant to this section ~~act~~ up to \$200,000 or \$300,000, as the
16 case may be; and that portion of the judgment that exceeds these
17 amounts may be reported to the Legislature, but may be paid in
18 part or in whole only by further act of the Legislature.
19 Notwithstanding the limited waiver of sovereign immunity
20 provided herein, the state or an agency or subdivision thereof



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21 may agree, within the limits of insurance coverage provided, to
 22 settle a claim made or a judgment rendered against it without
 23 further action by the Legislature, but the state or agency or
 24 subdivision thereof shall not be deemed to have waived any
 25 defense of sovereign immunity or to have increased the limits of
 26 its liability as a result of its obtaining insurance coverage
 27 for tortious acts in excess of the \$200,000 or \$300,000 waiver
 28 provided in this paragraph above.

29 (d) The limitations of liability set forth in this
 30 subsection shall apply to the state and its agencies and
 31 political subdivisions whether or not the state or its agencies
 32 or political subdivisions possessed sovereign immunity before
 33 July 1, 1974.

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T I T L E A M E N D M E N T

Remove lines 20-24 and insert:
 act in bad faith; providing for severability; providing for