



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • WEST OFFICE BUILDING, SUITE W115
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January 27, 2006

Mr. President:

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 113**, GOVERNMENTAL IMMUNITY LIMITS, by Senator H. Stephenson, with the following amendments:

1. Page 1, Lines 17 through 18:

17 { ~~→ permits unlimited aggregate damages to be awarded in a single event;~~
~~and~~ }

18 ▶ provides that the limitations on damages should be adjusted after the year
2006 { ~~→~~ } ;and

▶ enacts uncodified language directing the legislature to consider the issue of
creating a pool or fund to provide additional funds to persons whose judgment for
damages has been limited under the Governmental Immunity Act of Utah.

2. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22 { ~~None~~ } This bill provides an effective date.

3. Page 1, Line 25:

25 63-30d-604, as enacted by Chapter 267, Laws of Utah 2004 =

Uncodified Material Affected:
ENACTS UNCODIFIED MATERIAL

4. Page 2, Lines 31 through 35:

31 (1) (a) Except as provided in Subsections (2) and (3), if a judgment for damages for
32 personal injury against a governmental entity, or an employee whom a governmental entity
has

Bill Number



SB0113

Action Class



S

Action Code



SCRAMD

33 a duty to indemnify, exceeds [~~\$553,500~~] \$1,000,000 for one person in any one occurrence {~~;~~
for} not to exceed an aggregate amount of
34 {~~-\$1,107,000~~} \$10,000,000 {~~for two or more persons in any one occurrence,;~~} , for
individual awards that may be awarded in relation to a single occurrence, the court shall reduce the
judgment
35 to that amount.

5. Page 2, Lines 44 through 45:

44 {~~(d) There is no limit to the aggregate amount of individual awards that may~~
~~be awarded~~
45 ~~in relation to a single occurrence.~~}

6. Page 3, Line 67:

67 new limitations of judgment.

Section 2. Direction to refer to interim committee.

An appropriate legislative interim committee, as designated by the Legislative Management Committee, shall consider the issue of creating a catastrophic disaster fund or pool for the purpose of providing additional funds to persons whose recovery of damages has been capped or limited under the Governmental Immunity Act of Utah. Consideration of the issue may include adopting a supplementary pool or fund, establishing procedures, and creating a governing body or board to administer the fund.

Section 2. Effective Date

This bill takes effect on July 1, 2007.

Respectfully,

Parley G. Hellewell
Committee Chair

Voting: 4-0-1

3 SB0113.SC1.WPD rnorth/RCN ENW/BNC 1/27/06 3:19 pm

