



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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February 23, 2024

Mr. President,

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 414**, DUE PROCESS AMENDMENTS, by Representative J. D. Teuscher, with the following amendments:

1. *Page 13, Lines 376 through 391:*

376 to implement and enforce the policy governing behavior.  
377 { ~~(5) Notwithstanding Subsection 63G-7-101(4), immunity from suit is waived if:~~  
  
378 ~~\_\_\_\_\_ (a) in response to a suit filed on or after May 1, 2024, by a government~~  
~~employee in the~~  
379 ~~government employee's personal capacity, the defendant files a suit or counterclaim~~  
~~against the~~  
380 ~~government employee;~~  
381 ~~\_\_\_\_\_ (i) that arises out of the transaction or occurrence that is the subject matter of~~  
~~the~~  
382 ~~government employee's cause of action against the defendant; and~~  
383 ~~\_\_\_\_\_ (ii) for which the government employee would be immune under this chapter~~  
~~if the~~  
384 ~~defendant had filed suit against the government employee without the government~~  
~~employee~~  
385 ~~first filing suit against the defendant; or~~  
386 ~~\_\_\_\_\_ (b) in a suit filed on or after May 1, 2024, by a plaintiff against a government~~  
~~employee~~

Bill Number



Action Class



Action Code



387 ~~asserting a cause of action for which the government employee is immune under this~~  
~~chapter,~~  
388 ~~the government employee files a suit or counterclaim against the plaintiff, in the~~  
~~government~~  
389 ~~employee's personal capacity, that arises out of the transaction or occurrence that is~~  
~~the subject~~  
390 ~~matter of the plaintiff's cause of action against the government employee.~~}

391 Section 11. Section **67-5-1** is amended to read:

Respectfully,

Todd Weiler  
Chair

Voting: 5-0-1

5 HB0414.SC1.wpd 2/23/24 5:54 pm ljohnson/LJ3 RB2/MW