

1st Sub. H.B. 0414
DUE PROCESS AMENDMENTS

Representative **Jordan D. Teuscher** proposes 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~~
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: