

## Session 116 - (2005-2006)

**H 4478 General Bill, By Herbkersman, Young, E.H. Pitts, Haley, Huggins, Bailey, Bingham, Bowers, Cato, Harrison, Hosey, Martin, Norman, Rivers, Townsend and Vick**

**Summary:** Tort Claims Act

A BILL TO AMEND SECTION 15-78-200, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCLUSIVE AND SOLE REMEDY FOR TORTS COMMITTED BY AN EMPLOYEE OF A GOVERNMENTAL ENTITY WHILE ACTING WITHIN THE SCOPE OF AN EMPLOYEE'S OFFICIAL DUTY, SO AS TO PROVIDE THAT THE LIMITATIONS OF THE TORT CLAIMS ACT DO NOT APPLY IF THE TORT COMMITTED BY AN EMPLOYEE OF A GOVERNMENTAL ENTITY IS FOUND TO BE ARBITRARY OR CAPRICIOUS AND IN THESE CIRCUMSTANCES THE EMPLOYEE MUST BE CONSIDERED TO BE ACTING OUTSIDE THE SCOPE OF HIS OFFICIAL DUTY.

01/19/06 House Introduced and read first time HJ-22

01/19/06 House Referred to Committee on Judiciary HJ-22