

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	SB 1590
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Author:	Sen. Prieto
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Bill Analysis

SB 1590 modifies the term “scope of employment” as it relates to the Governmental Tort Claims Act. The measure provides that actions arising from gross negligence or willful misconduct shall not be considered to be within an employee’s scope of employment. The measure also requires the court to award court costs and reasonable attorney and expert witness fees to a prevailing plaintiff in any trial or appellate proceeding under the Act. Additionally, the court may award reasonable attorney and expert witness fees not to exceed \$25,000.00 to a defendant who prevails if the court determines that the plaintiff had no reasonable basis for asserting a claim or appealing an adverse decision of a trial court or administrative law judge.

Prepared by: Kalen Taylor