

HOUSE BILL REPORT

SB 5473

*As Reported By House Committee on:
State Government*

Title: An act relating to the tort claims revolving fund.

Brief Description: Creating the tort claims revolving fund.

Sponsor(s): Senators McCaslin and Madsen; by request of
Department of General Administration.

Brief History:

Reported by House Committee on:
State Government, April 2, 1991, DPA.

**HOUSE COMMITTEE ON
STATE GOVERNMENT**

Majority Report: *Do pass as amended.* Signed by 10 members:
Representatives Anderson, Chair; Pruitt, Vice Chair; McLean,
Ranking Minority Member; Bowman, Assistant Ranking Minority
Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and
Sheldon.

Staff: Linda May (786-7135).

Background: The state treasurer keeps an account for the
sole purpose of paying liability settlements and judgments
against the state and for tort claims filed against state
officers, employees, and volunteers. Before 1989, this
account was called the Tort Claims Revolving Fund. During
the 1989 session, the Legislature abolished this fund and
created the Liability Account. No funds were appropriated
to the new Liability Account until the 1990 session.

In seeking to implement the 1989 legislation, the Department
of General Administration (GA) was asked to keep the Tort
Claims Revolving Fund for paying off claims assessed prior
to the 1989 legislation. The Office of Financial Management
has also authorized GA to use this fund to pay for claims
assessed prior to the appropriation of funds to the new
Liability Account. The Liability Account is to be used
exclusively for payment of tort claims incurred on or after
July 1, 1990. A change in statute is necessary to re-
establish the abolished tort claims fund.

Summary of Amended Bill: The Tort Claims Revolving Fund is created again in the custody of the state treasurer. It is to be used solely and exclusively for the payment of tort claims against the state taking place prior to July 1, 1990.

Amended Bill Compared to Original Bill: The amendment makes technical changes to clarify the conditions under which monies are to be paid from the revolving fund.

Fiscal Note: Available.

Effective Date of Amended Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Witnesses: None.