

SENATE BILL REPORT

SB 6251

AS OF JANUARY 29, 1992

Brief Description: Making state employees immune from civil liability while performing official duties.

SPONSORS: Senator Roach

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Staff: Rod McAulay (786-7754)

Hearing Dates: February 3, 1992

BACKGROUND:

At the commencement of statehood, the common law doctrine of sovereign immunity protecting governments from liability was expressly reversed in Washington by a provision in the State Constitution. While the state is liable for actions which cause damage to others, by statute, state employees who are sued for their actions or omissions committed while acting in good faith and within the scope of their official duties are (1) defended by the office of the Attorney General, and (2) indemnified and held harmless for any judgment against them. These protections do not extend to employees acting in bad faith, nor do they prevent an employee being made a defendant in a suit against the state.

SUMMARY:

State employees covered by the Civil Service Act shall not be civilly liable for decisions, actions, or omissions that arise as the result of acting within the scope of the employee's official duties.

Appropriation: none

Revenue: none

Fiscal Note: none requested