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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

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Senate Bill 562

Sponsor: Senator Gilbert J. DiNello

Committee: Judiciary

Date Completed: 3-1-90

SUMMARY OF SENATE BILL 562 as introduced 10-4-89:

The bill would amend the governmental immunity Act to provide that a governmental agency would be liable for the agency's acts or omissions that were inhumane or cruel and were inconsistent with the State Constitution. An agency also would be liable for such acts or omissions of an employee, if the employee were acting in the course of employment and within the scope of his or her authority. In a suit brought under the bill, the determination of whether the employee was acting within the scope of his or her authority and in the course of employment would be a question of fact.

Proposed MCL 691.1407a

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate impact on State and local government depending on the number and amount of successful suits brought against the unit of government.

Fiscal Analyst: M. Hansen

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 562 (3-1-90)