

FIFTY-SEVENTH LEGISLATURE  
SECOND SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 13, 2026

Madam Chair:

I propose to the SENATE HEALTH AND PUBLIC AFFAIRS COMMITTEE the following amendments to

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 10

1. On page 25, strike lines 10 through 25, on page 26, strike lines 1 through 25 and on page 27, strike lines 1 through 11 and insert in lieu thereof:

"(1) the officers and employees of the commission shall not be liable or subject to suit, either personally or in their official capacity, when acting within the scope of that person's employment or duties for acts, errors or omissions occurring within that person's state. Nothing in this subsection shall be construed to protect a person from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of the person;

(2) the liability of the interstate commission within any member state may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents. The commission is considered to be an instrumentality of the states for the purpose of any such action;

(3) the commission shall defend, indemnify and hold harmless the executive director and the director's employees according to the interstate commission's rules and bylaws. The executive director and employees of the interstate commission shall

be held harmless in the amount of a settlement or judgment, including attorney fees and costs, obtained against that person arising out of an actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities; provided that the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of that person;".

2. Renumber the succeeding paragraphs accordingly.

Respectfully submitted,

---