

FIFTY-SEVENTH LEGISLATURE
SECOND SESSION

PROPOSED AMENDMENT DIRECTED TO A COMMITTEE

February 15, 2026

Madam Chair:

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

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 33

1. On page 25, line 19, after the semicolon, insert "and".
2. On page 25, strike lines 20 through 25 and on page 26, strike lines 1 through 7.
3. Renumber the succeeding paragraph accordingly.
4. On page 36, strike lines 6 through 25 and on page 37, strike lines 1 through 18 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; and

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

Respectfully submitted,
