

Filed for intro on 01/28/98  
SENATE BILL 2832 By  
Ford J

HOUSE BILL 2769  
By Brooks

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 4,  
Part 1, relative to the liability of commissioners.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 4, Part 1, is amended by  
adding the following new section:

Section 4-4-123. If a commissioner is advised by the attorney general that the  
department headed by that commissioner has been held in violation of federal or state  
law as a result of a successful suit against the state, that damages have been awarded  
to the plaintiff, and that it was a finding of the court that the liability was due to gross  
negligence by the commissioner, then the attorney general shall also advise the  
commissioner that the commissioner will be personally liable and that the state will not  
provide legal counsel or defense for the commissioner.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring  
it.

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