

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 SENATE BILL 1531

By: Yen

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5
6 AS INTRODUCED

7 An Act relating to the Governmental Tort Claims Act;
8 amending 51 O.S. 2011, Section 157, which relates to
9 notice; clarifying time period for certain notice;
10 and providing an effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 51 O.S. 2011, Section 157, is
13 amended to read as follows:

14 Section 157. A. A person may not initiate a suit against the
15 state or a political subdivision unless the claim has been denied in
16 whole or in part. A claim is deemed denied if the state or
17 political subdivision fails to approve the claim in its entirety
18 within ninety (90) days, unless the state or political subdivision
19 has denied the claim or reached a settlement with the claimant
20 before the expiration of that period. If the state or a political
21 subdivision approves or denies the claim in ninety (90) days or
22 less, the state or political subdivision shall give notice within
23 five (5) business days of such action to the claimant at the address
24 listed in the claim. If the state or political subdivision fails to

1 give the notice required by this subsection, the period for
2 commencement of an action in subsection B of this section shall not
3 begin until the expiration of the ninety-day period for approval.
4 The claimant and the state or political subdivision may continue
5 attempts to settle a claim, however, settlement negotiations do not
6 extend the date of denial unless agreed to in writing by the
7 claimant and the state or political subdivision.

8 B. No action for any cause arising under ~~this act~~, Section 151
9 et seq. of this title, shall be maintained unless valid notice has
10 been given and the action is commenced within one hundred eighty
11 (180) days after denial of the claim as set forth in this section.
12 The claimant and the state or political subdivision may agree in
13 writing to extend the time to commence an action for the purpose of
14 continuing to attempt settlement of the claim except no such
15 extension shall be for longer than two (2) years from the date of
16 the loss.

17 SECTION 2. This act shall become effective November 1, 2018.

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