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# Governor Signs Public-Sector Tort Reform Bills Into Law

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SACRAMENTO — A nine-bill public-sector tort reform package designed to limit city and county liability was signed Sunday by Gov. George Deukmejian.

"These measures will help to protect local governments and volunteer organizations from excessive, and often unfair, damage awards in personal injury cases," the governor said in a prepared statement. "This legislation will be of great benefit to local government and public service organizations that have cut back, or even eliminated many of the services they provide, due to the fear of costly and inequitable personal injury damage awards."

The nine-bill package included eight individual bills and one "omnibus" measure incorporating the provisions of the eight bills. The governor has not signed another, more controversial private-sector tort reform package with wide bipartisan support that was pushed through the Legislature in the final day of the session Sept. 11.

Like the private-sector package, the public-entity bills were devised during lengthy sessions involving the California Trial Lawyers Association and other concerned groups — in this case the League of California Cities and the County Supervisors Association of California, which agreed to drop their support for a proposed initiative, the Fair Liability Act. The public-sector measures also were



GEORGE DEUKMEJIAN

supported by the attorney general's office and various law enforcement organizations.

Negotiators in the private-sector tort reform legislation — the CTLA, the Association for California Tort Reform (ACTR), the state Chamber of Commerce, the California Medical Association and the California Manufacturers Association and the Association of California Insurance Companies — also agreed in the drafting of that 11th-hour legislation not to sponsor initiatives against each other. That measure, SB 241 by Assembly Speaker Willie Brown, D-San Francisco, and Sen. Bill Lockyer, D-Hayward, also enjoys wide bipartisan

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and special-interest support and is expected to be signed by the governor this week.

Specifically, the bills are:

- AB 1919 by Assemblyman Larry Stirling, R-San Diego, which provides public agencies employing peace officers with immunity from liability for civil damages in cases where vehicles being pursued by peace officers are involved in collisions. The immunity applies only if the agencies adopt "a written policy for the safe conduct of vehicular pursuits by peace officers."

- SB 23, by Sen. Marian Bergeson, R-Newport Beach, which reduces the liability of local governments that provide public safety services at public beaches. The measure extends to public beaches "the immunity provisions for public entities and public employees for injuries caused by 'natural conditions'."

- SB 1526, by Lockyer, which amends the Nonprofit Corporation Law to provide specified immunities for volunteer directors and committee officers.

- SB 1598, by Sen. Robert Presley, D-Riverside, which allows government agencies to establish written guidelines and policies "to provide guidance to their public employees without fear of liability."

- AB 344, by Assemblyman Lloyd Connelly, D-Sacramento, which will enable juries to be "clearly informed of the possible biases of witnesses."

- AB 1530, by Assembly Speaker Brown, which authorizes California corporations "to state the extent of personal liability for corporate directors and officers."

- AB 1909, by Assemblyman Elihu Harris, D-Oakland, which increases from \$25,000 to \$50,000 the maximum amount in which civil actions may be settled through judicial arbitration. The measure also provides for settlement conferences in suits against public agencies when the verdict exceeds \$100,000.

- AB 2616, by Brown, which exempts mayors and members of boards of supervisors, city councils, school boards and other locally appointed boards and commissions from vicarious liability for injuries caused by the public agency.

- AB 1173 by Brown, which incorporated provisions of the other eight bills into one "omnibus" package.