

House Judiciary Committee

2/27/2025

Bill: 2nd Substitute SB 169 – Governmental Immunity Act Amendments

Sponsor: Senator Todd Weiler

Floor Sponsor: Representative Anthony E. Loubet

UASD Position:

This Bill amends the Governmental Immunity Act.

Discussion: The Bill requires governmental entities to file a statement with the Division of Corporations and Commercial Code, detailing any "doing-business-as" name they use, the designated office or agent to receive legal service, and the physical address for hand-delivered or mailed service of summons and complaints. Additionally, if a governmental entity fails to file or update this statement and has actual notice of a claim or summons, it cannot challenge the validity of the notice of claim or the sufficiency of service. If a challenge is allowed, the claimant must prove they exercised reasonable diligence in identifying the governmental entity using a "doing-business-as" name.

The sponsor said that the Bill came about in response to instances where local governments acquired entities without public awareness. When legal action is necessary, citizens may not realize they must first submit a notice of claim and wait 60 days before filing a lawsuit against the governmental entity. Representative Acton asked which governmental entities would be included under this Bill. The sponsor clarified that organizations like the Utah League of Cities and Towns would not be covered, but entities such as mosquito abatement districts would. No public comments were made.

Yeas: 8

Nays: 0

N/V: 3

Outcome: 2nd Substitute SB 169 passed out of the Committee with a favorable recommendation.
