



# HOUSE BILL 259: 2023 Appropriations Act, Sec. 31.1: Limit Tort Liability for State Employees

2023-2024 General Assembly

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<b>Committee:</b>		<b>Date:</b>	November 16, 2023
<b>Introduced by:</b>		<b>Prepared by:</b>	Kristen L. Harris Staff Attorney
<b>Analysis of:</b>	Sec. 31.1 of S.L. 2023-134		

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**OVERVIEW:** Section 31.1 of S.L. 2023-134 limits tort claims against state employees by stating that all claims must be brought under Article 31 (Tort Claims against State Departments and Agencies) of Chapter 143 (State Departments, Institutions, and Commissions) of the North Carolina General Statutes and that all claims must be filed and heard at the North Carolina Industrial Commission (IC).

*This section became effective October 3, 2023, and applies to all claims filed on or after that date.*

**BILL ANALYSIS:** Article 31 of Chapter 143 of the North Carolina General Statutes known as the "State Tort Claims Act" is the sole and exclusive remedy for any claim that arises as a result of the negligence of any officer, employee, involuntary servant, or agent of the State while acting within the scope of his office, employment, service, agency, or authority.

The IC is the sole and exclusive forum for the filing and hearing of any negligence claims. Any claims filed in any other forum related to the same subject matter are precluded.

**EFFECTIVE DATE:** This section became effective October 3, 2023, and applies to all claims filed on or after that date.

Jeffrey Hudson  
Director



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Legislative Analysis  
Division  
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