

Introduced by Senator Berryhill

February 17, 2011

An act to amend Section 910 of the Government Code, relating to government tort claims.

LEGISLATIVE COUNSEL'S DIGEST

SB 579, as introduced, Berryhill. Government tort claims.

Existing law bars a suit for money or damages against a public entity on a cause of action for which a claim is required to be presented, until a written claim therefor has been presented to the public entity and acted upon by the Victim Compensation and Government Claims Board, the governing body of a local public entity, or the Judicial Council, as applicable, or has been deemed to have been rejected, except as specified. Existing law specifies the contents of the claim, including the name and address of the claimant, and the date, place, and circumstances giving rise to the claim.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 910 of the Government Code is amended
- 2 to read:
- 3 910. A claim shall be presented by the claimant or by a person
- 4 acting on his or her behalf and shall show all of the following:
- 5 (a) The name and post office address of the claimant.

- 1 (b) The post office address to which the person presenting the
2 claim desires notices to be sent.
- 3 (c) The date, place, and other circumstances of the occurrence
4 or transaction ~~which~~ *that* gave rise to the claim asserted.
- 5 (d) A general description of the indebtedness, obligation, injury,
6 damage, or loss incurred so far as it may be known at the time of
7 presentation of the claim.
- 8 (e) The name or names of the public employee or employees
9 causing the injury, damage, or loss, if known.
- 10 (f) The amount claimed if it totals less than ten thousand dollars
11 (\$10,000) as of the date of presentation of the claim, including the
12 estimated amount of any prospective injury, damage, or loss,
13 insofar as it may be known at the time of the presentation of the
14 claim, together with the basis of computation of the amount
15 claimed. If the amount claimed exceeds ten thousand dollars
16 (\$10,000), no dollar amount shall be included in the claim.
17 However, it shall indicate whether the claim would be a limited
18 civil case.