

S 4036

Reforming Qualified Immunity Act

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jun 23, 2020

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Jun 23, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/4036>

Sponsor

Name: Sen. Braun, Mike [R-IN]

Party: Republican • **State:** IN • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jun 23, 2020

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
116 S 4142	Related bill	Jul 1, 2020: Read twice and referred to the Committee on the Judiciary.
116 HR 7085	Related bill	Jun 4, 2020: Referred to the House Committee on the Judiciary.

Reforming Qualified Immunity Act

This bill modifies the defense of qualified immunity in civil actions for deprivation of rights. *Qualified immunity* is a judicially created doctrine that protects government employees or those acting with state authority from being held personally liable for constitutional violations.

The bill provides that under the statute allowing a civil action alleging deprivation of rights under color of law, it shall not be a defense or immunity to any such action that (1) the defendant was acting in good faith or believed that his or her conduct was lawful at the time it was committed; (2) the rights, privileges, or immunities secured by the Constitution or laws were not clearly established at the time of their deprivation; or (3) the state of the law was such that the defendant could not reasonably have been expected to know whether his or her conduct was lawful.

A defendant sued in his or her individual capacity shall not be liable if specified conditions apply (concerning the defendant's belief that conduct was lawful or judicial decisions addressing the validity of laws), such as when the defendant establishes that, at the time the deprivation occurred, the conduct alleged to be unlawful was specifically authorized or required by a federal or state statute or regulation.

A municipality or other unit of local government shall be liable for a violation by an agent or employee of the municipality or unit of local government acting within the scope of his or her employment.

Actions Timeline

- **Jun 23, 2020:** Introduced in Senate
- **Jun 23, 2020:** Read twice and referred to the Committee on the Judiciary.