

S 4142

Ending Qualified Immunity Act

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Civil Rights and Liberties, Minority Issues

Introduced: Jul 1, 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. (Jul 1, 2020)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/4142>

Sponsor

Name: Sen. Markey, Edward J. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Sanders, Bernard [I-VT]	I · VT		Jul 1, 2020
Sen. Warren, Elizabeth [D-MA]	D · MA		Jul 1, 2020

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jul 1, 2020

Subjects & Policy Tags

Policy Area:

Civil Rights and Liberties, Minority Issues

Related Bills

Bill	Relationship	Last Action
116 HR 8979	Related bill	Dec 16, 2020: Referred to the House Committee on the Judiciary.
116 S 4036	Related bill	Jun 23, 2020: Read twice and referred to the Committee on the Judiciary.
116 HR 7085	Identical bill	Jun 4, 2020: Referred to the House Committee on the Judiciary.

Ending Qualified Immunity Act

This bill eliminates 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.

Actions Timeline

- **Jul 1, 2020:** Introduced in Senate
- **Jul 1, 2020:** Read twice and referred to the Committee on the Judiciary.