

Judiciary Committee

JOINT FAVORABLE REPORT

Bill No.: HJ-87

RESOLUTION CONFIRMING THE DECISION OF THE CLAIMS
COMMISSIONER TO DISMISS THE CLAIM AGAINST THE STATE OF DWIGHT

Title: OTIS.

Vote Date: 4/10/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/28/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

REASONS FOR BILL:

If the Claims Commissioner dismisses a claim, the claimant has the right to request that the General Assembly review the Commissioner's decision. The Otis claim was submitted to the Judiciary Committee from the Office of the Claims Commissioner with the annual submission of all claims requesting review by the General Assembly.

SUBSTITUTE LANGUAGE:

The substitute language vacates the decision of the Claims Commissioner, which ordered the dismissal of the claim against the state and remands the file to the Claims Commissioner for a hearing on the merits.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

None expressed.

NATURE AND SOURCES OF OPPOSITION:

Dwight Otis: He submitted testimony in opposition to the resolution. He provided additional details about the incident that is the basis for the claim as well as the ongoing health issues he continues to experience. He also stated that he does not believe the state should be allowed to invoke the protections of the Recreational Land Use statute.

Sharon Reynolds: She submitted testimony in opposition to the resolution, which is about an injury her husband sustained in a state park. She provided additional details about the incident as well as supporting documentation from DEEP regarding their knowledge of the safety issue that needed to be addressed in the park.

Reported by: Bonnie Gray

Date: April 19, 2025