

HCS HB 1115 -- COMMONSENSE CONSUMPTION ACT

SPONSOR: Byrd (Dempsey)

COMMITTEE ACTION: Voted "do pass" by the Committee on Judiciary by a vote of 14 to 0 with 1 present.

This substitute prohibits civil lawsuits against manufacturers, distributors, and sellers of food for any claims arising out of weight gain, obesity, or health conditions associated with weight gain or obesity. Exceptions to this prohibition are provided for certain violations of state and federal law. Rules for pleadings and the procedure for filing a lawsuit pursuant to an exception are specified.

The substitute will become effective on January 1, 2005, and applies to all covered claims pending or filed after that date.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that people should have personal responsibility for their own bodies and should not be able to sue when a product is used as it is intended. The bill will prevent frivolous lawsuits.

Testifying for the bill were Representative Dempsey; Missouri Restaurant Association; Johnny's Beanery; and Missouri Chamber of Commerce and Industry.

OPPOSERS: There was no opposition voiced to the committee.

Julie Jinkens McNitt, Legislative Analyst