

HB 2364 -- Liability of Public Entities, Agents, Officers, and Employees

Sponsor: Villa

Currently, the State Legal Expense Fund is liable for all economic damages to any one claimant and up to \$350,000 for non-economic damages in satisfaction of any judgment against a state officer or employee for claims arising from the operation of a motor vehicle or from a negligent or wrongful act or omission causing a dangerous condition of property. This bill limits the amount a plaintiff can recover in tort actions against either the state or its agents, officers, or employees for these claims to \$2 million for all claims arising out of a single accident or occurrence and \$300,000 for any one person in a single accident or occurrence. The maximum allowable recovery will be reduced by any amount paid toward the claim by the state; its entities, officers, agents, or employees; or anyone acting on their behalf.

Currently, the state waives immunity for liability for claims arising from the operation of a motor vehicle up to the maximum allowable recovery provided for in Missouri law. The bill specifies that if the operator of the motor vehicle owned or operated on behalf of the state is immune from liability, the state or its public entities will also be immune from liability.

The provisions allowing a plaintiff in a negligence action against the Department of Transportation to request arbitration by a panel of three arbiters instead of a trial are repealed.