

HB 459 -- PRODUCTS LIABILITY CIVIL ACTIONS

SPONSOR: Kolkmeier

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Litigation Reform by a vote of 9 to 2.

Currently, a products liability order of dismissal for a defendant whose liability is based solely on his or her status as a seller shall not divest a court of venue or jurisdiction that was proper at the beginning of the action. Additionally, the defendant seller dismissed in the action shall remain a party to such action for venue and jurisdiction purposes. This bill repeals those provisions.

This bill is the same as SB 4 (2017).

PROPONENTS: Supporters say that this bill will clarify the venue laws in this state and ensure lawsuits are brought in the proper court. Specifically, the bill will reduce costs and increase access to Missouri courts for state residents by reducing the number of cases filed in Missouri courts by plaintiffs with no connection to the state.

Testifying for the bill were Representative Kolkmeier; Johnson & Johnson; The Doctors Company; Missouri Trucking Association; Washington University; Missouri Retailers Association, Missouri Grocers Association, Associated Industries of Missouri; National Federation of Independent Business; Missouri Chamber of Commerce and Industry; Missouri Railroad Association; Missouri Insurance Coalition; Kansas City Power & Light; Missouri Petroleum Council -- A Division of The American Petroleum Institute; and the Missouri Organization of Defense Lawyers.

OPPONENTS: Those who oppose the bill say that it will change the venue laws so that more cases are filed in the rural areas of the state. This will increase costs for rural counties because of the need for additional courtroom resources, and increase the burden on residents needed to serve as jurors in those counties.

Testifying against the bill was Jeff Bauer, Missouri Association of Trial Attorneys.