

HB 462 -- INTERVENTION IN A TORT ACTION

SPONSOR: Kolkmeyer

COMMITTEE ACTION: Voted "Do Pass" by the Special Committee on Litigation Reform by a vote of 9 to 3.

This bill amends a Missouri Supreme Court rule to prohibit an individual from intervening in a tort action if such individual cannot independently establish jurisdiction and venue.

PROPOSERS: 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 Kolkmeyer; National Federation of Independent Business; Missouri Retailers Association; Missouri Grocers Association; Associated Industries of Missouri; Kansas City Power & Light; Missouri Insurance Coalition; Phil Goldberg, American Tort Reform Association; Missouri Railroad Association; Missouri Chamber of Commerce and Industry; Washington University; Missouri Petroleum Council; KC Southern Railway; Missouri State Medical Association; Tony Crawford, Missouri Trucking Association; The Doctors Company; Monsanto; Johnson & Johnson; and the Missouri Organization of Defense Lawyers.

OPPOSERS: 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 and prevent plaintiffs from pooling resources in lawsuits against large companies. The bill will further 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. In addition, the state may lose revenue due to the reduced number of verdicts that include punitive damages.

Testifying against the bill were Jack Garvey and Jeff Bauer, Missouri Association of Trial Attorneys.