

HB 952 -- PAYMENTS FOR TORT LIABILITY TO INSURERS

SPONSOR: Overcast

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Commerce by a vote of 9 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 7 to 1 with 1 voting present.

This bill provides that a portion of a plaintiff's claim for damages can be satisfied by a reimbursement from a defendant or a defendant's insurer or authorized representative if all or any part of the plaintiff's deductible and damages are reimbursed to the plaintiff's insurer by the defendant or his or her insurer or authorized representative and if the plaintiff would have a potential double recovery without the satisfaction.

This bill is the same as SB 1201 (2024).

PROPONENTS: Supporters say that the plaintiffs who file the lawsuits are entitled to be made whole but not receive a windfall for double recovery. The purpose of the bill is to prevent double dipping for recovery.

Testifying in person for the bill were Representative Overcast; Missouri Chamber of Commerce and Industry; Missouri Civil Justice Reform Coalition Inc; American Property Casualty Insurance Assn; Associated Industries of Missouri; Hampton Williams, Missouri Insurance Coalition; and Missouri Association Of Insurance Agents.

OPPONENTS: Those who oppose the bill say that you need to hold the tortfeasor accountable for the harm caused. Under this bill, the plaintiffs may never be made whole.

Testifying in person against the bill were Chandler Gregg and Arnie Dienoff.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.