

HB 1540 -- COMPARATIVE NEGLIGENCE OR FAULT

SPONSOR: Diehl

This bill specifies that a plaintiff in an action for damages for personal injury, property damage, or wrongful death based on negligence or an unreasonably unsafe or dangerous condition will not be barred from recovering even if he or she may have been contributorily negligent or assumed a risk unless the plaintiff's negligence or fault is determined to be at least 50%. The bill specifies what the trier of fact must consider when determining fault and what the court must evaluate if multiple defendants are found liable. The provisions of this bill apply to any cause of action accruing on or after August 28, 2025.