

HCS HB 1647 -- PAYMENTS FOR TORT LIABILITY TO INSURERS

SPONSOR: Overcast

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Insurance by a vote of 7 to 3.

The following is a summary of the House Committee Substitute for HB 1647.

This bill provides that whether or not a claim has been assigned or subrogated to an insurer, if, prior to the filing of a civil action for recovery of property damage arising from an alleged tort, a defendant or his or her insurer or authorized representative, or any combination thereof, reimburses a claimant's insurer all or any part of the claimant's deductible or property damage amounts paid by the claimant's insurer, then any portion of the claimant's claim for damages that are satisfied by the reimbursement will not be recoverable from the defendant or defendant's insurer to the extent such recovery would result in a duplicative recovery by the claimant.

Any party can present evidence of payments made to the claimant or on behalf of the claimant to the claimant's insurer. Such payments will be credited as an offset against any compensable judgment in a civil action for recovery of property damage.

This bill is similar to HB 952 (2025) and SB 1201 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROponents: Supporters say that this bill is about fairness. Damages are not meant to punish or overly compensate. This would help prevent double recoveries.

Testifying in person for the bill were Representative Overcast; Missouri Insurance Coalition; Missouri State Medical Association; American Property Casualty Insurance Association; Associated Industries of Missouri; National Association of Mutual Insurance Companies.

OPponents: Those who oppose the bill say that this bill is not limited to property damage. These lawsuits are usually for reasons other than property damage. This language does not belong in collateral source law.

Testifying in person against the bill were Blake Heath; 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.