

HCS HB 1718 -- LIMITATIONS ON AWARDS FOR CERTAIN LIABILITY CLAIMS

SPONSOR: Hinman

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Insurance by a vote of 7 to 1.

The following is a summary of the House Committee Substitute for HB 1718.

This bill modifies section 537.610, RSMo, by specifying that the applicable liability limit for a claim against the State or political subdivision is the limit in effect on the date of the accident or occurrence giving rise to the claim.

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

PROPOSERS: Supporters say that the government shouldn't be penalized with no limits by litigation from its employees. Currently, there is an incentive to make the court cases keep going in order to receive a higher settlement. This bill takes away that incentive. This bill also creates more certainty for State and local political subdivisions when creating their budget.

Testifying in person for the bill were Representative Hinman; City of Springfield; Missouri Association of Counties; Missouri Insurance Coalition; Missouri Chapter of the National Association of Housing & Redevelopment Officials ; Matthew Broderson, MIRMA; Municipal League of Metro St. Louis; Missouri Municipal League; and City of O'fallon.

OPPONENTS: Those who oppose the bill say that this further entrenches statutory caps on liability for the State and its political subdivisions. This bill decreases accountability for the State and political subdivisions for harm that was done.

Testifying in person against the bill were Arnie Dienoff; and Michael Sudekum, Missouri Association of Trial Attorneys.

OTHERS: Others testifying on the bill say the implicit price deflator is connected to the GDP.

Testifying in person on the bill was Steven Marion, Department of Commerce And Insurance.

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.