

HOUSE RESEARCH

Bill Summary

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Subject: Governmental Tort Liability Limits

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Overview

This bill provides that the liability of the state or a municipality resulting from a single occurrence that gives rise to tort claims from multiple claimants, regardless of the total number of claims filed, may not exceed \$1,000,000 in total.

The limit would apply to claims arising on or after July 1, 2011, and is identical to the limit that was in place from January 1, 2000, through December 31, 2007. The current tort liability of the state or municipality for a single occurrence, regardless of the number of claims filed because of that occurrence, is \$1,500,000.

The existing limit on the total liability to a single claimant (\$500,000) remains unchanged.

The bill also adds new language prohibiting the state or a municipality from requiring to carry liability insurance in an amount that exceeds these tort claim limits.

Section

- 1** **Limits (state liability).** Enacts the new tort liability limit and restriction on contractor insurance requirements, described above, in the section of law governing tort claims against the state.
- 2** **Limits (municipal liability).** Enacts the new tort liability limit and restriction on contractor insurance requirements, described above, in the section of law governing tort claims against a municipality.