



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill #	SB0251	Title:	Generally revise civil liability laws relating to damages
Primary Sponsor:	Smith, Cary	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: SB 251 proposes numerous amendments to damages statutes for lawsuits involving injuries that require medical care. All the proposed amendments reduce the likely total damages a liable defendant will have to pay. Since the bill limits/determines recoverable damages in a settlement, there is no measurable fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:

Department of Administration

Health Care and Benefits Division

- SB 251 generally revises the laws related to damages in lawsuits, including damages recoverable for medical services or treatment.
- SB 251 does not impact the benefits coverage or payment of claims by the State Employee Group Benefits Plan.

Risk Management and Tort Defense Division

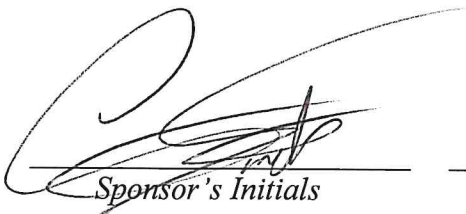
- The bill limits/determines recoverable damages in a settlement.
- There is no measurable fiscal impact to the Department of Administration's Risk Management and Tort Defense Division.

Montana University System

5. The Montana University System Insurance Plan currently has an obligation to provide claims histories upon request.

Department of Corrections

6. SB 251 proposes numerous amendments to damages statutes for lawsuits involving injuries that require medical care. All the proposed amendments reduce the likely total damages a liable defendant will have to pay.
7. The amendments attempt to abrogate common law court decisions and cap medical damages generally at the amounts expended for care.
8. The types of lawsuits that are impacted by this bill are those handled by the Risk Management and Tort Defense Division, on behalf of the Department of Corrections.



Sponsor's Initials

2/22/21

Date

KA

Budget Director's Initials

2/22/21

Date