

As of December 30, 2000

2000 State Tort Reform Enactments

Connecticut

Small Claims Court Reform

SB 514—effective date: October 1, 2000

Increases the maximum amount of damages that may be claimed in small claims court from \$2,500 to \$3,500.

Florida

Appeal Bond Waiver Act

HB 1721—effective date: May 9, 2000

Places a monetary limit on bond requirements in punitive damage awards in class actions during the appeal process at 10% of the defendants net worth or \$100 million whichever is less. In out-of-state judgments, limits on bond appeals would apply during the stay period only.

Georgia

Appeal Bond Waiver Act

HB 1346—effective date: March 30, 2000

Places a \$25 million limit on bond requirements in punitive damage awards during the appeal process. In out-of-state judgments, limits on bond appeals would apply during the stay period only.

Idaho

Employer Liability

HB 543—effective date: July 1, 2000

Provides protection from liability to employers for acts committed by former employees after the termination of employment. Also protects employers for acts committed by current employees who are off the job.

Iowa

Uninsured Motorists

HF 2525—effective date: July 1, 2000

Prohibits a motorist, passenger or pedestrian from collecting noneconomic damages for injuries sustained in an auto crash caused during the commission of a felony.

Kansas

Private Attorney Retention Sunshine Act

HB 2627—effective date: July 1, 2000

Provides that any state agency that enters into a contract for legal services with an attorney or firm when legal fees are \$7,500 or more, shall not do so until an open and competitive bidding process has taken place.

Prior to entering into a contract for legal services when fees and expenses paid to a firm or an attorney may exceed \$1 million the state shall submit the proposed contract to the legislative budget committee for approval.

At the conclusion of any legal contract in which the state retained an attorney or firm on a contingency fee basis, the firm shall disclose the hours worked, expenses incurred and a breakdown of the hourly rate charged for service. The state shall not pay any fees or expenses in excess of \$1,000 per hour.

Kentucky

Appeal Bond Waiver Act

SB 316—effective date: March 29, 2000

Places a \$100 million limit on bond requirements in punitive damage awards during the appeal process. In out-of-state judgments, limits on bond appeals would apply during the stay period only.

Maryland

Consumer Protection Contracts-Late Fees

SB 145—effective date: June 1, 2000

Allows businesses to charge a reasonable late fee to recover the cost of delinquent payments and encourages customers to pay on time; protects all consumers by requiring a cap on late fees; and applies retroactively to protect businesses that, in good faith, imposed late fees in reliance on the generally accepted understanding of the law.

North Carolina

Appeal Bond Waiver Act

SB 2—effective date: April 5, 2000

Places a \$25 million limit on bond requirements in punitive damage awards during the appeal process. In out-of-state judgments, limits on bond appeals would apply during the stay period only.

South Carolina Prejudgement Interest

H. 3403—effective date: January 1, 2001

Ties prejudgment interest rate to the prime rate plus one percent.

Virginia Appeal Bond Waiver Act

HB 1547—effective date: July 1, 2000

Places a \$25 million limit on bond requirements in punitive damage awards during the appeal process. In-out-of-state judgments, limits on bond appeals would apply during the stay period only.

West Virginia Prisoner Lawsuit Reform

SB 109—effective date: March 11, 2000

Prohibits an inmate from filing a lawsuit until all administrative remedies against the facility have been exhausted. Allows the facility sixty days to complete these remedies. Permits certain court proceedings to occur at the inmates place of incarceration by telephone or video conference. Requires an inmate to pay for all court filing fees. Upon finding that an inmate filed a frivolous suit, time earned for good behavior may be forfeited. Any award to an inmate shall be paid to any outstanding court-ordered payments pending against the inmate.