

HJR 6 -- Limitation of Liability for Noneconomic Damages

Sponsor: White

Upon voter approval, this proposed constitutional amendment limits, as of January 1, 2014, the liability for all damages and losses, other than economic damages, to \$350,000 per occurrence. The limits apply to any claim or cause of action, including the liability of a medical or health care provider with regard to the treatment, lack of treatment, or standard of care or safety, and applies whether the claim or cause of action arises under or is derived from common law, a statute, or other law, including any claim or cause of action based or sounding in tort, contract, or any other theory or any combination of theories of liability. The General Assembly is authorized to modify by statute the limit of liability with the approval of at least three-fifths of the members of each house.