

Session 126 - (2025-2026)

S 0133 General Bill, By Kimbrell

Summary: Tort Reform

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-140, RELATING TO SUSPENSION OR REVOCATION OF LICENSES AND PERMITS FOR THE SALE OF ALCOHOLIC LIQUORS, BEER, AND WINE, SO AS TO A PERSON LICENSED OR PERMITTED UNDER THE PROVISIONS OF THIS TITLE WHO MAINTAINS A LIQUOR LIABILITY INSURANCE POLICY OR A GENERAL LIABILITY INSURANCE POLICY WITH A LIQUOR LIABILITY ENDORSEMENT PURSUANT TO SECTION 61-2-145 MUST SURRENDER HIS LICENSE UPON THE THIRD OCCURRENCE DURING ANY ONE CALENDAR YEAR OF AN EVENT OR SERIES OF EVENTS THAT ACTIVATES COVERAGE FOR THE INSURED; BY AMENDING SECTION 61-2-145, RELATING TO LIQUOR LIABILITY INSURANCE COVERAGE REQUIRED FOR ON-PREMISES CONSUMPTION, SO AS TO REDUCE THE REQUIREMENT FROM ONE MILLION DOLLARS TO TWO HUNDRED FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 15-3-530, RELATING TO A THREE YEAR TIME PERIOD FOR THE COMMENCEMENT OF ACTIONS OTHER THAN FOR THE RECOVERY OF REAL PROPERTY SHALL BE AS PRESCRIBED IN THE FOLLOWING SECTIONS SO AS TO ADD ANY ACTION ON A POLICY OF INSURANCE REQUIRED PURSUANT TO SECTION 61-2-145; BY ADDING SECTION 15-38-12 SO AS TO PROVIDE A NECESSARY DEFINITION; BY AMENDING SECTION 15-38-15, RELATING TO JOINT AND SEVERAL LIABILITY, SO AS TO PROVIDE A PLAINTIFF THAT IS FIFTY PERCENT OR GREATER AT FAULT FOR THE INCIDENT RESULTING IN THE DAMAGES FOR WHICH HE IS SEEKING RECOVERY, THEN THE JURY SHALL RETURN A VERDICT FOR THE DEFENDANT, AND IF THE PLAINTIFF IS NOT FIFTY PERCENT OR MORE AT FAULT THEN THE DEFENDANTS ARE LIABLE FOR DAMAGES IN DIRECT PROPORTION TO THEIR PERCENTAGE OF FAULT; AND BY AMENDING SECTION 15-33-135, RELATING TO PUNITIVE DAMAGES, SO AS TO PROHIBIT PUNITIVE DAMAGES ON ANY ACTION ON A POLICY OF INSURANCE REQUIRED PURSUANT TO SECTION 61-2-145.

12/11/24 Senate Prefiled

12/11/24 Senate Referred to Committee on Judiciary

01/14/25 Senate Introduced and read first time (Senate Journal-page 86)

01/14/25 Senate Referred to Committee on Judiciary (Senate Journal-page 86)

01/17/25 Scrivener's error corrected