

Session 126 - (2025-2026)

S 0244 General Bill, By Massey, Alexander, Rice, Turner, Climer, Williams, Bennett, Cromer, Grooms, Blackmon and Chaplin

Similar (H 3849)

Summary: Tort Reform

A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15-38-15, RELATING TO THE APPORTIONMENT OF PERCENTAGES OF FAULT AND ALCOHOLIC BEVERAGE OR DRUG EXCEPTIONS, SO AS TO PROVIDE THAT A JURY OR THE COURT SHALL DETERMINE THE PERCENTAGE OF FAULT OF THE CLAIMANT, THE DEFENDANT, AND OF ANY NONPARTY WHOSE ACT OR OMISSION WAS A PROXIMATE CAUSE OF THE CLAIMANT'S ALLEGED DAMAGES; BY REPEALING SECTION 15-38-20 RELATING TO RIGHT OF CONTRIBUTION; BY REPEALING SECTION 15-38-30 RELATING TO FACTORS DETERMINING PRO RATA LIABILITY OF TORTFEASORS; BY REPEALING SECTION 15-38-40 RELATING TO ACTIONS FOR CONTRIBUTION; BY ADDING SECTION 15-3-710 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 15-3-720 SO AS TO PROVIDE THAT AN INDIVIDUAL IS PROHIBITED FROM RECOVERING DAMAGES IF THE INDIVIDUAL KNOWINGLY RIDES AS A PASSENGER IN A VEHICLE OPERATED BY A DRIVER WHO IS VISIBLY INTOXICATED OR WHOM THE INDIVIDUAL KNEW OR SHOULD HAVE KNOWN WOULD BECOME INTOXICATED; BY ADDING SECTION 15-3-730 SO AS TO PROVIDE THAT THE CLERK OF COURT SHALL FORWARD A COPY OF THE COMPLAINT AND JUDGMENT TO THE DEPARTMENT OF REVENUE UPON ENTERING JUDGMENT AGAINST A LICENSEE; BY AMENDING SECTION 61-4-580, RELATING TO PROHIBITED ACTS, SO AS TO PROVIDE FOR CIVIL LIABILITY; BY AMENDING SECTION 61-4-590, RELATING TO REVOCATION OR SUSPENSION OF PERMITS AND DEPARTMENT INVESTIGATION AND DETERMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REVOKE OR SUSPEND A PERMIT ON ITS OWN INITIATIVE UPON RECEIPT OF A COMPLAINT AND JUDGMENT; BY ADDING SECTION 61-3-100 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 61-3-110 SO AS TO PROVIDE REQUIREMENTS FOR TRAINING SERVER AND MANAGER TRAINING; BY ADDING SECTION 61-3-120 SO AS TO PROVIDE FOR THE CREATION OF AND APPROVAL OF TRAINING PROGRAMS; BY ADDING SECTION 61-3-130 SO AS TO PROVIDE FOR THE ISSUANCE OF ALCOHOL SERVER CERTIFICATES; BY ADDING SECTION 61-3-140 SO AS TO PROVIDE FOR THE RENEWAL OF A PERMIT OR LICENSE; BY ADDING SECTION 61-3-150 SO AS TO PROVIDE FOR THE ENFORCEMENT OF RELEVANT PROVISIONS; BY ADDING SECTION 61-3-160 SO AS TO PROVIDE PENALTIES; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF REGULATIONS SO AS TO PROVIDE FOR THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; BY AMENDING SECTION 61-6-2220, RELATING TO SALES TO INTOXICATED PERSONS, SO AS TO PROVIDE THAT A PERSON OR ESTABLISHMENT LICENSED TO SELL ALCOHOLIC LIQUORS OR LIQUOR BY THE DRINK PURSUANT TO THIS ARTICLE MAY NOT KNOWINGLY PROVIDE THESE BEVERAGES TO AN INTOXICATED PERSON; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING, REQUIRED INFORMATION AND DOCUMENTATION, FEES, AND RENEWAL, SO AS TO INCLUDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE LIMITS; BY AMENDING SECTION 61-2-145, RELATING TO THE REQUIREMENT OF LIABILITY INSURANCE COVERAGE, SO AS TO PROVIDE THAT AN INSURER SHALL NOTIFY THE DEPARTMENT IF A PERSON LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION EXCEEDS ITS AGGREGATE LIMIT PRIOR TO THE EXPIRATION OF THE POLICY; BY AMENDING SECTION 15-3-670, RELATING TO CIRCUMSTANCES IN WHICH LIMITATIONS PROVIDED BY SECTIONS 15-3-640 THROUGH 15-3-660 ARE NOT AVAILABLE AS DEFENSE, SO AS TO PROVIDE THAT A VIOLATION IS CONSIDERED MATERIAL ONLY IF IT EXISTS WITHIN A COMPLETED BUILDING, STRUCTURE, OR FACILITY WHICH HAS RESULTED IN PHYSICAL HARM TO A PERSON OR SIGNIFICANT DAMAGE TO THE PERFORMANCE OF A BUILDING OR ITS SYSTEMS; BY AMENDING SECTION 56-5-6540, RELATING TO PENALTIES, SO AS TO PROVIDE THAT A VIOLATION IS ADMISSIBLE AS EVIDENCE OF COMPARATIVE NEGLIGENCE; BY ADDING SECTION 15-7-65 SO AS TO PROVIDE THAT A CIVIL ACTION TRIED AGAINST AN UNKNOWN DEFENDANT MUST BE TRIED IN THE COUNTY WHERE THE CAUSE OF ACTION AROSE; BY AMENDING SECTION 38-77-150, RELATING TO UNINSURED MOTORIST PROVISIONS, SO AS TO PROVIDE THAT THE UNINSURED MOTORIST PROVISION IS NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES; BY AMENDING SECTION 38-77-160, RELATING TO ADDITIONAL UNINSURED MOTORIST COVERAGE, SO AS TO PROVIDE THAT AUTOMOBILE INSURANCE CARRIERS ARE NOT REQUIRED TO INCLUDE COVERAGE FOR PUNITIVE OR EXEMPLARY DAMAGES IN THE MANDATORY OFFER OF UNDERINSURED MOTORISTS COVERAGE; BY AMENDING SECTION 15-78-30, RELATING TO DEFINITIONS, SO AS TO DEFINE OCCURRENCE; BY AMENDING SECTION 15-32-220, RELATING TO NONECONOMIC DAMAGES LIMIT AND

EXCEPTIONS, SO AS TO PROVIDE GUIDELINES FOR INTENT TO HARM, FELONY CONVICTIONS, AND INFLUENCE OF ALCOHOL AND OTHER DRUGS; AND BY ADDING SECTION 38-59-23 SO AS TO PROVIDE FOR ACTIONS FOR BAD FAITH INVOLVING A LIABILITY.

01/16/25	Senate	Introduced and read first time (Senate Journal-page 13)
01/16/25	Senate	Referred to Committee on Judiciary (Senate Journal-page 13)
01/24/25	Senate	Referred to Subcommittee: Johnson (ch), Campsen, Massey, Adams, Tedder, Elliott, Walker
02/18/25		Scrivener's error corrected
02/26/25	Senate	Committee report: Favorable Judiciary (Senate Journal-page 14)
02/27/25	Senate	Special order, set for February 27, 2025 (Senate Journal-page 21)
02/27/25	Senate	Roll call Ayes-34 Nays-6 (Senate Journal-page 21)
03/05/25		Scrivener's error corrected
03/05/25	Senate	Debate interrupted (Senate Journal-page 33)
03/06/25	Senate	Debate interrupted (Senate Journal-page 10)
03/18/25	Senate	Amended (Senate Journal-page 20)
03/19/25		Scrivener's error corrected
03/26/25	Senate	Debate interrupted (Senate Journal-page 26)
03/26/25	Senate	Amended (Senate Journal-page 24)
03/26/25	Senate	Read second time (Senate Journal-page 24)
03/26/25	Senate	Roll call Ayes-35 Nays-7 (Senate Journal-page 24)
03/27/25	Senate	Amended (Senate Journal-page 32)
03/27/25	Senate	Read third time and sent to House (Senate Journal-page 32)
03/28/25		Scrivener's error corrected
04/03/25	House	Introduced and read first time (House Journal-page 23)
04/03/25	House	Referred to Committee on Judiciary (House Journal-page 23)