

BUSINESS

Dow 30 Industrials	S&P 500	Nasdaq	Russell 2000	Toronto Stock Exchange
-133.17 25,673.46	-18.20 2,771.45	-70.44 7,505.92	-31.46 1,536.82	+5.53 16,092.07
Gold	Silver	Oil per barrel	Dollar vs. Canada	Dollar vs. Euro
+\$2.90 \$1,284.90	-\$0.017 \$15.003	-\$0.34 \$56.22	+0.0077 1.3422	-0.0003 0.8844

Bill capping damages moves forward

It passes its first state House panel. The Senate president is “very cautious” on tort reforms.

BY LAWRENCE MOWER
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A bill that would cap damages in lawsuits passed its first House committee Wednesday, but a provision that would have jeopardized Florida’s opioid lawsuit was removed.

House Bill 17 would prevent juries from awarding plaintiffs more than \$1 million for “pain and suffering” in lawsuits, a move that could affect anyone killed or injured by a company or product.

An earlier version of it also included a provision that would stop suits in which a product was “unreasonably misused,” an idea pushed by conservative groups.

But the bill sponsor, Rep. Tom

Leek, R-Ormond Beach, said he took it out over concerns by the Attorney General’s Office, which is suing the nation’s largest opioid makers and distributors over the thousands of deaths from people who died in the opioid crisis.

The provision raised questions about whether people who overdosed on opioids and died — the heart of the state’s lawsuit — would qualify as “unreasonably” misusing the drugs.

The bill was one of three dealing with attorney’s fees and liabilities that the committee passed Wednesday.

One would alter who’s liable when someone is injured by a “dangerous instrument.” The

other would eliminate one-way attorneys’ fees in most assignment of benefits cases — a subject that for years has failed to get out of the Legislature.

The bills are driven by insurance companies and other corporations seeking to limit when they’re liable when someone is hurt and how much they have to spend on lawsuits.

The votes Wednesday were mostly along party lines, with Democrats voting against them and Republicans voting in favor.

A cap on noneconomic damages has already been declared unconstitutional by Florida’s Supreme Court. But with the court getting three new conser-

vative justices, lawmakers are looking to get the court to overturn its past precedent.

Leek said House Bill 17 is aimed at limiting attorneys’ fees because they’re driving up Floridians’ insurance rates.

But some lawmakers said that the \$1 million cap was arbitrary, and attorneys argued that it took away the right of jurors to value someone’s pain and suffering.

“What this bill would introduce is a governmental regulation on the value of that life,” said Leslie Kroeger, president-elect of the Florida Justice Association. “What is it worth to a 7-year-old who has been burned from head to toe because he was wearing

flammable pajamas?”

Leek said the \$1 million cap was based on an average of caps in other states, but he was willing to work with lawmakers to increase it. A variety of trade groups and business organizations support it, including the National Federation of Independent Business in Florida, which represents small businesses.

How receptive the Senate will be to the bills is less clear. Senate President Bill Galvano told reporters Tuesday that he was “very cautious” about passing tort reform bills.

“It’s not that I haven’t supported tort reform in the past, but, you know, we’re going to scrutinize everything that comes over in that regard,” Galvano said.