

SB 222/HB 126 makes Tennessee less safe by not holding corporations accountable for the negligent action of their employees while on the job.

- This legislation makes it nearly impossible for someone who is harmed by a company representative from receiving punitive damages from that company.
- Punitive damages are awarded to punish or deter wrongful conduct if the defendant is shown to have acted intentionally, recklessly, or maliciously.
- Punitive damages are only awarded in a small number of egregious cases.
- When corporations know they can be held responsible for the acts of their employees they are more likely to enforce stricter hiring policies, promote safety within their organization and provide the proper training and education needed to do the job. If corporations get a “free pass” they are less likely to do these things, and Tennessee becomes less safe.
- The legislature already passed the Tennessee Civil Justice Act which capped punitive damages. Before making access to justice even harder, the effects of that law regarding the change in punitive damages needs to be thoroughly analyzed prior to making additional changes. The new law has only been in effect since October 1, 2011.

