

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 56 – HB 1099

March 24, 2013

**SUMMARY OF ORIGINAL BILL:** Prohibits joint and several liability in civil actions governed by comparative fault, except for actions involving civil conspiracy.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (005047):** Adds a new subsection to Section 1 of the bill. States that joint and several liability is still appropriate for tort actions in which a negligent defendant failed to prevent or enabled the foreseeable acts or omissions of an intentional tortfeasor.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The bill codifies existing law relative to liability in civil actions as established through opinions of the Tennessee Supreme Court.
- It is assumed that the bill will not impact the number of civil actions filed in state courts or case management in state courts.
- It is assumed that bill will not impact the number of civil actions filed in local courts or case management in local courts.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/trm