

ALEC's Legislative Agenda on Tort Reform

Through the American Legislative Exchange Council, on ALEC task forces corporate lobbyists and special interests vote as equals with elected representatives on templates to change our laws, behind closed doors with no press or public allowed to see the votes or deliberations. ALEC's model legislation dealing with tort reform includes proposals that would limit an injured person's ability to sue the responsible company, provide new legal protections to negligent corporations, and limit the ability to file a class action lawsuit.

Blocking the Public's Access to the Civil Justice System

- ALEC's "[Product Liability Act](#)" makes it easier for product manufacturers to escape liability for producing defective or dangerous products that injure or kill American consumers.
- ALEC's "[Resolution on Protective Orders](#)" attempts to keep information about dangerous products manufactured by corporations secret from the public by suggesting that only safety agencies should have access to information discovered during a lawsuit brought to compensate an injured person.
- ALEC's "[Comparative Fault Act](#)" would bar an individual from recovering any damages for injuries if a company or companies were 49% at fault but the individual was 51% at fault. That is, even if companies' actions contributed to injuries of an American, those companies would escape any liability for their negligence or other fault if the individual's actions contributed even slightly more to the accident than them.
- ALEC's "[Volunteer Immunity and Charitable Organization Liability Limit Act](#)" immunizes 501(c)(3) organizations, like ALEC, from liability for injuries it may cause.
- ALEC's "[Full & Fair Noneconomic Damages Act](#)" provides that, in determining a pain-and-suffering award, evidence cannot be admitted of a defendant's bad acts, income, or other information that might lead the jury, judge, or arbitrator to increase the size of the award. This is one of several efforts to limit damages paid by corporations for pain and suffering.
- ALEC's "[Summary Judgment Procedure Act](#)" would help corporate defendants facing lawsuits by requiring judges to narrow the scope of issues in the trial.

Taking Away Rights for Workers Injured or Killed on the Job

- ALEC's "[Noneconomic Damage Awards Act](#)" limits noneconomic damages to only the time the plaintiff lived as opposed to the time he or she would have lived had the injury not occurred. Thus, it limits a corporation's liability for injuring or killing a worker even if a jury would have determined that a larger amount was warranted based on the particular facts of the case.

- ALEC’s “[Resolution In Support Of Preserving Reasonable Limits on Wrongful Death Actions](#)” attempts to stop efforts to allow a jury to fully compensate a victim’s family for all damages in the death of their loved one caused by a corporation by limiting damages to prospective earnings and medical costs. In addition, the resolution attempts to prevent juries from compensating the family for emotional consequences of the loss of their parent, spouse, or child.
- ALEC’s “[Truth in Damages Act](#)” provides that, in assessing the amount of damages to award an injured plaintiff, compensation made under insurance, Social Security, or disability/worker’s compensation can be admitted into evidence to reduce the amount of damages owed.
- ALEC’s “[Private Enforcement of Consumer Protection Statutes](#)” would bar punitive or exemplary damages for willfully deceptive actions by a corporation and ALEC’s “[Punitive Damages Standards Act](#)” limits the ability of a plaintiff to be awarded payments in punitive damages.
- ALEC’s “[Limits on Multiple Punitive Damages Resolution](#)” attempts to limit the power of juries to award punitive damages for intentional misconduct or gross negligence that results in fatalities or serious injuries. In essence, the goal of the resolution is to limit punitive damages to one plaintiff in one jurisdiction no matter how many people are injured or killed as a result of the corporation’s product or actions across the country.

Limiting Joint Liability and Class Action Suits

- ALEC’s “[Joint and Several Liability Act](#)” is designed to eliminate joint and several liability, meaning that corporations would no longer be jointly liable for injuries caused by the products they manufacture or sell. Ultimately, this bill would reduce the liability of companies that sell a product that causes injury.
- ALEC’s “[Class Actions Improvements Act](#)” limits class action lawsuits by specifying that class actions can only be maintained if the plaintiffs are not seeking any money, and makes it harder to maintain a class action if the plaintiffs are from multiple states.

Limiting the Rights of Patients Harmed by Negligent Health Providers and Pharmaceutical Companies

- ALEC’s “[Statute of Limitation Reduction Act](#)” would make it harder to sue doctors who negligently caused injuries, illness, or death, requiring the lawsuit be filled within two years after an injury or illness is discovered, or within one year after death occurs. But, sometimes the danger of a drug or product is not known by consumers for years.
- ALEC’s “[Drug Liability Act](#)” would bar lawsuits by families of Americans killed or injured by FDA-approved drugs, even if the drugs are recalled, and thus preventing drug companies from being held accountable for the injuries or deaths they cause.

