



MISSOURI SENATE

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Moving Forward

Senate advances several high-priority bills

JEFFERSON CITY – This week my colleagues and I in the Missouri General Assembly advanced several measures benefiting our state’s civil liability, worker’s compensation and education systems.

A bill reforming the state’s tort system passed both chambers this week and is headed to the desk of Gov. Matt Blunt, who is expected to sign the bill into law. House Bill 393 is an indispensable measure that will make our civil liability system fairer and healthier for Missouri.

The bill prevents “venue shopping,” a process allowing trials to be moved to jurisdictions that give excessively large jury awards. It also lowers caps on jury awards for punitive damages in civil liability cases. Current law institutes caps that rise with inflation. While the limit has risen to \$579,000 since the 1980s, this legislation establishes a cap of \$350,000 that will not grow with inflation. The legislation also reforms the state’s “joint and several liability” law, which can require some defendants to pay a greater percentage of the damage award than their determined liability. This bill protects liable defendants from having to pay more than their share if other defendants are unable to pay.

These reductions in the size of jury awards will change a system that has been unfair for, and hurtful to, Missouri businesses and doctors. No longer will the system drive our best doctors out of the state because of extremely high malpractice awards and insurance rates.

The Missouri General Assembly also moved forward legislation modifying the state workers’ compensation law. This bill ensures that Missouri’s system only pays for valid worker’s compensation claims. Senate Bill 1 tightens the definition of a workplace injury by requiring that work be “the

prevailing factor” instead of a “substantial factor” in the injury. It also reduces awards to workers who are injured while in violation of safety regulations and places the burden of proof on employees in order to eliminate illegitimate claims. These revisions are necessary to attract more businesses to Missouri by reforming a system that hurts companies by inviting the misuse of workers’ compensation claims.

Senators also have been working to make changes in the state education system. This week, the Senate Education Committee, of which I am a member, heard testimony on a bill that will fund school districts more equitably and guarantee that Missouri schools provide students a good education. Lawmakers and school districts agree that the “foundation formula,” Missouri’s outdated method of determining state funding for schools, needs to be fixed. Nearly half of the state’s 524 school districts have taken part in a lawsuit arguing the formula is unfair.

Senate Bill 297 will help provide more equitable education for Missouri students by recognizing that education costs vary district by district, as does the ability to raise funds through property taxes. This bill determines a minimum dollar amount needed to provide an adequate education for each Missouri student and guarantees that each school district will receive at least that much to spend on students.

This legislation will not reduce state education funds anywhere. It will require each district to pay at least \$6,117 per student, a figure devised by studying the best performing districts in the state. To address the difference in the cost of education, that dollar figure will be adjusted for each district. As a result, the buying power of Missouri districts will be equitable. By indexing the dollar’s buying power, our bill will end up saving money for Missouri because our system will be fair and legally defensible. My colleagues and I are working to fix a failing formula.

The work the Senate has done this week has made Missouri a better place. With the support of our citizens, we will be able to carry on our efforts and continue to move our state forward.

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*Senator Robert Mayer represents the people of Wayne, Ripley, Butler, Stoddard, New Madrid,
Pemiscot and Dunklin counties in the Missouri Senate.*