

By: DeAyala

H.B. No. 1419

A BILL TO BE ENTITLED

AN ACT

relating to liability limits for noneconomic damages for personal injury and wrongful death claims.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 41, Civil Practice and Remedies Code, is amended by adding Section 41.0025 to read as follows:

Sec. 41.0025. LIABILITY LIMIT FOR NONECONOMIC DAMAGES IN PERSONAL INJURY CLAIMS. (a) In an action on a personal injury claim, civil liability to a claimant for noneconomic damages, unless subject to a limitation imposed by other law, may not exceed:

(1) for noneconomic damages awarded as damages for past and future physical pain and suffering, three times the amount awarded to the claimant as damages for past and future health care expenses; and

(2) for noneconomic damages awarded as damages for past and future mental or emotional pain or anguish:

(A) \$1 million if the claim arises from an event primarily causing emotional injury to the claimant; or

(B) \$250,000 if the claim arises from an event primarily causing bodily injury to the claimant.

(b) For purposes of the limitations provided by Subsection (a), all persons that may be responsible under a vicarious liability theory for satisfying a judgment are treated as a single defendant.

1 (c) Beginning on January 1, 2027, and continuing on January
2 1 of each subsequent year, the fixed-amount limitations provided by
3 Subsection (a) increase by 1.75 percent from the prior year's
4 amount.

5 SECTION 2. Section 71.010(a), Civil Practice and Remedies
6 Code, is amended to read as follows:

7 (a) Except as provided by Section 71.0105, the [The] jury
8 may award damages in an amount proportionate to the injury
9 resulting from the death.

10 SECTION 3. Subchapter A, Chapter 71, Civil Practice and
11 Remedies Code, is amended by adding Section 71.0105 to read as
12 follows:

13 Sec. 71.0105. LIABILITY LIMIT FOR CERTAIN NONECONOMIC
14 DAMAGES. (a) In an action brought under this subchapter, civil
15 liability for noneconomic damages, unless subject to a limitation
16 imposed by other law, may not exceed \$1 million for each claimant as
17 damages for past and future mental or emotional pain or anguish.

18 (b) For purposes of the limitation provided by Subsection
19 (a), all persons that may be responsible under a vicarious
20 liability theory for satisfying a judgment are treated as a single
21 defendant.

22 (c) Beginning on January 1, 2027, and continuing on January
23 1 of each subsequent year, the fixed-amount limitation provided by
24 Subsection (a) increases by 1.75 percent from the prior year's
25 amount.

26 SECTION 4. The changes in law made by this Act are an
27 exercise of authority under Section 66(c), Article III, Texas

1 Constitution, and take effect only if this Act receives a vote of
2 three-fifths of all the members elected to each house, as provided
3 by Subsection (e) of that section.

4 SECTION 5. The changes in law made by this Act apply only to
5 a cause of action that accrues on or after the effective date of
6 this Act.

7 SECTION 6. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2025.