

Support House Bill 542

A state's legal climate can be a major inducement or a major deterrent to business investment, and job creation. It is one of several key factors that businesses consider when making decisions about where to expand existing facilities or to locate new ones. H 542 makes balanced changes to NC's civil liability system to provide fairness and predictability and encourage job creation.

House Bill 542:

- **Requires that juries be given accurate information about the medical bills actually paid by a plaintiff or their insurer for medical care received rather than inflated bills.**
- **Establishes requirements for expert witness testimony that will make NC consistent with the requirements in federal courts and the majority of other states. This will make our courts more efficient and fair and help deter frivolous lawsuits.**
- **Addresses attorneys' fees in small cases by restoring the original intent of the statute which was to encourage parties to negotiate reasonable settlements and reduce litigation. Gives the court the discretion to award attorneys fees when plaintiff recovers \$20,000 or less, there was an unwarranted refusal to negotiate or pay the claim by the defendant and the damages recovered at trial exceed the highest offer prior to trial. Allows plaintiff attorneys to receive fees in more cases due to doubling the threshold for when the statute applies but places a cap on these fees.**
- **Codifies NC common law to make clear that land owners are not liable for harm to trespassers on their property except in limited situations.**
- ~~Creates a presumption that a pharmaceutical product is safe if it has been approved by the Food and Drug Administration, unless that approval was obtained by bribery or by withholding or misrepresenting information. This provides some certainty and predictability to an important part of NC's economy and will encourage future investment and job creation. The FDA approval process takes 10 to 15 years on average and only one of every 5,000 to 10,000 potential medicines is approved for patient use by the FDA. *Removed in final days of session.*~~

The following urge you to support H 542 to help grow our economy and create jobs:

Abbott Laboratories
Allstate Insurance Company
American Insurance Association
Astellas Pharma US
Belk, Inc.
Biogen Idec
Blue Cross Blue Shield of North Carolina
Bristol-Myers Squibb Company
Capital Associated Industries
Carolinas AGC
Caterpillar Inc.
Charlotte Chamber of Commerce
CSX Transportation
Domtar Paper Company
DuPont
Employers Coalition of North Carolina
General Electric
GlaxoSmithKline
Grady-White Boats
Greater Raleigh Chamber of Commerce
Insurance Federation of North Carolina
John Deere
Lilly, USA
Lowe's Companies, Inc.
MAG Mutual Insurance Company
Manufacturers and Chemical Industry Council
Merck
National Association of Mutual Insurance Companies
National Federation of Independent Business
Nationwide Insurance
Norfolk Southern
North Carolina Academy of Family Physicians
North Carolina Assisted Living Association
North Carolina Associated General Contractors
North Carolina Association of Electric Cooperatives
North Carolina Association of Pharmacists
North Carolina Automobile Dealers Association
North Carolina Beverage Association
North Carolina Biosciences Organization
North Carolina Chamber
North Carolina Farm Bureau
North Carolina Forestry Association
North Carolina Health Care Facilities Association
North Carolina Home Builders Association
North Carolina Hospital Association
North Carolina Medical Society
North Carolina Radiological Society
North Carolina Restaurant & Lodging Association
North Carolina Retail Merchants Association
North Carolina Society of Anesthesiologists
North Carolina Trucking Association
Novartis Pharmaceuticals Corporation
Nucor
Pepsi Bottling Ventures LLC
Pfizer
Pharmaceutical Research and Manufacturers of America
Piedmont Natural Gas
PotashCorp (PCS Phosphate)
PPG Industries, Inc.
Property and Casualty Insurance Association of America
Reynolds American
Sanofi-Aventis
Shurtape Technologies
State Farm Mutual Automobile Insurance Company
Weyerhaeuser