



126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 458

H.P. 308

House of Representatives, February 14, 2013

An Act Regarding Comparative Negligence

Reference to the Committee on Judiciary suggested and ordered printed.

Millient M. Mac Jarland

MILLICENT M. MacFARLAND Clerk

Presented by Representative BECK of Waterville. Cosponsored by Senator LACHOWICZ of Kennebec and Representatives: BERRY of Bowdoinham, DeCHANT of Bath, HICKMAN of Winthrop, MONAGHAN-DERRIG of Cape Elizabeth.

1 Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §156, first ¶, as amended by PL 1999, c. 633, §1 and affected
by §3, is further amended to read:

When any person suffers death or damage as a result partly of that person's own fault and partly of the fault of any other person or persons, a claim in respect of that death or damage may not be defeated by reason of the fault of the person suffering the damage, but the damages recoverable in respect thereof must be reduced to such extent as the jury thinks just and equitable having regard to the claimant's share in the responsibility for the damage. If the jury finds that the fault of the claimant is greater than the fault of all other persons, the claimant may not recover.

- Sec. 2. 14 MRSA §156, 4th ¶, as amended by PL 1999, c. 633, §1 and affected
 by §3, is repealed.
- 13 SUMMARY
- 14 This bill amends the laws governing comparative negligence. This bill provides that 15 if a jury finds that the fault of a claimant is greater than the fault of all other persons, the 16 claimant may not recover.