

WAIVER OF PUNITIVE DAMAGES AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: Todd D. Weiler

LONG TITLE

Committee Note:

The Judiciary Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 4 absent

General Description:

This bill addresses agreements to waive or limit liability for punitive damages.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ prohibits courts from enforcing agreements to waive or limit liability for punitive damages.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

78B-8-204, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **78B-8-204** is enacted to read:



28 **78B-8-204. Agreements to waive or limit punitive damages unenforceable.**
29 (1) As used in this section:
30 (a) "Agreement" means a written, verbal, or implied contract.
31 (b) "Court" means the same as that term is defined in Section [78B-11-102](#).
32 (2) A court may not enforce an agreement to waive or limit liability for punitive
33 damages.