

January 25, 2022

Chairman Efstration
132 State Capitol
Atlanta, GA 30334

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In 2005, the Georgia Legislature—with bipartisan support—replaced the state’s joint and several liability rules with a fairer, more just comparative fault rule where damages were apportioned amongst all responsible parties. Unfortunately, a recent Georgia Supreme Court decision in *Alston & Bird, LLP v. Hatcher Management Holdings, LLC*, held that apportionment of damages does not apply when there is only one named defendant. As outlined by the decision, the Supreme Court offered a sensible and simple solution to this problem that has been fully incorporated into HB 961.

We believe that in a balanced civil justice system, all responsible parties should pay their fair share of damages to an injured party. Georgia’s apportionment statute has been interpreted to do that for the last 16 years, and HB 961 ensures that it will continue to be interpreted that way in the future.

We fully support HB 961 as drafted and thank you for your efforts on this critically necessary legislation.

American Property Casualty Insurance Association
Associated General Contractors of Georgia
Association County Commissioners of Georgia
AT&T
Building Owners and Managers Association of Georgia
Community Bankers Association of Georgia
CSX Transportation
C.W. Matthews Contracting Co., Inc.
Emory Healthcare
Gas South
GEICO
Georgia Agribusiness Council
Georgia Alliance of Community Hospitals
Georgia Apartment Association
Georgia Association of Convenience Stores
Georgia Association of Manufacturers
Georgia Bankers Association
Georgia Chamber
Georgia Defense Lawyers Association
Georgia EMC
Georgia Farm Bureau Mutual Insurance Company
Georgia Food Industry Association
Georgia Health Care Association
Georgia Highway Contractors Association
Georgia Hospital Association
Georgia Hotel & Lodging Association
Georgia Independent College Association
Georgia Mining Association
Georgia Motor Trucking Association
Georgia Municipal Association
Georgia Orthopaedics Society

Georgia Railroad Association
Georgia Restaurant Association
Georgia Society of Dermatology and Dermatologic Surgery
Georgians for Lawsuit Reform
Grady Health System
Greater Columbus Georgia Chamber of Commerce
Hamilton Health Care System
Home Builders Association of Georgia
The Home Depot
Hughston Clinic
Independent Insurance Agents of Georgia
MagMutual
Metro Atlanta Chamber
National Federation of Independent Business
National Association of Mutual Insurance Companies
Norfolk Southern
Northeast Georgia Health System
Phoebe Putney Health System
Piedmont Healthcare
Private Practice Physicians Association
PruittHealth
Sentry Insurance Company
State Farm
Tanner Health System
UPS
Waffle House
Wellstar Health System