



**Am. Sub. S.B. 120**  
124th General Assembly  
(As Passed by the General Assembly)

**Sens. Johnson, Hottinger, Armbruster, Amstutz, Harris, Randy Gardner, Nein, Robert Gardner**

**Reps. Seitz, Latta, Evans, Raga, Schneider, Aslanides, Collier, Niehaus, Faber, Gilb, Clancy, Schmidt, Cates, Lendrum, G. Smith, Flowers, Reidelbach, White, Damschroder, Fessler, Setzer, Wolpert, Manning, Carmichael, Olman, Calvert, Schaffer, Young, Peterson, Grendell, Jolivette, Buehrer, Carey, Hoops, Husted**

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**ACT SUMMARY**

- Specifies that a defendant is jointly and severally liable in tort for all compensatory damages that represent economic loss if more than 50% of the tortious conduct is attributable to that defendant.
- Specifies that a defendant is liable in tort only for that defendant's proportionate share of the compensatory damages that represent economic or noneconomic loss if 50% or less of the tortious conduct is attributable to that defendant.
- Provides that a defendant against whom an intentional tort claim has been alleged and established is jointly and severally liable in tort for all compensatory damages that represent economic loss if 50% or less of the tortious conduct is attributable to that defendant and that each defendant against whom an intentional tort claim has not been alleged and established and to whom 50% or less of the tortious conduct is attributable is liable only for that defendant's proportionate share of the compensatory damages that represent economic loss.
- Specifies how to determine the percentages of tortious conduct attributable to a party in a tort action under the joint and several liability, contributory fault, or product liability contributory fault provisions of the act.

- Establishes a right of contribution among tortfeasors even though judgment has not been recovered against all or any of the tortfeasors.
- Specifies the guidelines for the right of contribution among tortfeasors, and provides that there is no right of contribution in favor of any tortfeasor against whom an intentional tort claim has been alleged and established.
- Provides that the contributory fault of a plaintiff may be asserted as an affirmative defense to a negligence claim or to a tort claim other than a negligence claim but may not be asserted as an affirmative defense to an intentional tort claim.
- Requires a court to diminish the total amount of the compensatory damages that would have been recoverable by an amount that is proportionately equal to the percentage of tortious conduct that is determined to be attributable to the plaintiff when there is contributory fault.
- Provides that express or implied assumption of the risk may be asserted as an affirmative defense to a product liability claim but may not be asserted as an affirmative defense to an intentional tort claim.
- Provides that contributory negligence or other contributory tortious conduct may be asserted as an affirmative defense to a product liability claim, and specifies the guidelines for that affirmative defense.
- Requires a court to diminish the total amount of compensatory damages that would have been recoverable by an amount that is proportionately equal to the percentage of tortious conduct that is determined to be attributable to the plaintiff when there is product liability contributory negligence or other contributory tortious conduct.
- Makes other technical changes.
- Applies the sections of the Revised Code, as amended or enacted by the act, only to causes of action that accrue on or after the act's effective date.

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## CONTENT AND OPERATION

### *Joint and several liability*

#### *Determination of joint and several liability*

Subject to the provisions under "*Determining the percentages of tortious conduct attributable to a party*" and "*Limitation on application of act's joint and several liability provisions*," below, and except as provided in another section of the Revised Code that expressly establishes joint and several tort liability for specified persons, joint and several tort liability in *tort actions* (see "*Definitions*," below) must be determined as follows (R.C. 2307.22(A)):

(1) In a tort action in which the trier of fact determines that two or more persons proximately caused the same injury or loss to person or property or the same wrongful death and in which the trier of fact determines that more than 50% of the tortious conduct is attributable to one defendant, that defendant is jointly and severally liable in tort for all compensatory damages that represent economic loss.



(2) If paragraph (1), above, is applicable, each defendant who is determined by the trier of fact to be legally responsible for the same injury or loss to person or property or the same wrongful death and to whom 50% or less of the tortious conduct is attributable is liable to the plaintiff only for that defendant's proportionate share of the compensatory damages that represent economic loss. The proportionate share of a defendant must be calculated by multiplying the total amount of the economic damages awarded to the plaintiff by the percentage of tortious conduct determined as described in "*Determining the percentages of tortious conduct attributable to a party*," below, that is attributable to that defendant.

(3) In a tort action in which the trier of fact determines that two or more persons proximately caused the same injury or loss to person or property or the same wrongful death and in which the trier of fact determines that 50% or less of the tortious conduct is attributable to any defendant against whom an *intentional tort claim* (see "*Definitions*," below) has been alleged and established, that defendant is jointly and severally liable in tort for all compensatory damages that represent economic loss.

(4) If paragraph (3), above, is applicable, each defendant against whom an intentional tort claim has not been alleged and established, who is determined by the trier of fact to be legally responsible for the same injury or loss to person or property or the same wrongful death, and to whom 50% or less of the tortious conduct is attributable is liable to the plaintiff only for that defendant's proportionate share of the compensatory damages that represent economic loss. The proportionate share of a defendant must be calculated by multiplying the total amount of the economic damages awarded to the plaintiff by the percentage of tortious conduct as described in "*Determining the percentages of tortious conduct attributable to a party*," below, that is attributable to that defendant.

Except as described above in paragraphs (3) and (4), in a tort action in which the trier of fact determines that two or more persons proximately caused the same injury or loss to person or property or the same wrongful death and in which the trier of fact determines that 50% or less of the tortious conduct is attributable to each defendant, each defendant is liable to the plaintiff only for that defendant's proportionate share of the compensatory damages that represent economic loss. The proportionate share of a defendant must be calculated by multiplying the total amount of the economic damages awarded to the plaintiff by the percentage of tortious conduct that is attributable to that defendant. (R.C. 2307.22(B).)

In a tort action in which the trier of fact determines that two or more persons proximately caused the same injury or loss to person or property or the same wrongful death, each defendant who is determined by the trier of fact to be legally responsible for the same injury or loss to person or property or for the same

wrongful death is liable to the plaintiff only for that defendant's proportionate share of the compensatory damages that represent noneconomic loss. The proportionate share of a defendant must be calculated by multiplying the total amount of the noneconomic damages awarded to the plaintiff by the percentage of tortious conduct that is attributable to that defendant. (R.C. 2307.22(C).)

The contribution provisions of the act (see "*Right of contribution among tortfeasors, Covenant not to sue or not to enforce judgment,*" and "*Exclusion of contribution provisions,*" below) apply to joint and several tort liability in a tort action in which the trier of fact determines that two or more tortfeasors proximately caused the same injury or loss to person or property or the same wrongful death and in which the trier of fact determines that more than 50% of the tortious conduct is attributable to one defendant (R.C. 2307.22(D)).

#### *Determining the percentages of tortious conduct attributable to a party*

In determining the percentage of tortious conduct attributable to a party in a tort action under the joint and several liability, contributory fault, and product liability contributory fault provisions of the act, the court in a nonjury action must make findings of fact, and the jury in a jury action must return a general verdict accompanied by answers to interrogatories, that specify all of the following: (1) the percentage of tortious conduct that proximately caused the injury or loss or the wrongful death that is attributable to the plaintiff and to each party to the tort action from whom the plaintiff seeks recovery in this action and (2) the percentage of tortious conduct that proximately caused the injury or loss or the wrongful death that is attributable to each *person from whom the plaintiff does not seek recovery in this action* (see "*Definitions,*" below). The sum of the percentages of tortious conduct as determined above must equal 100%. (R.C. 2307.23(A) and (B).)

For purposes of clause (2), above, it is an affirmative defense for each party to the tort action from whom the plaintiff seeks recovery that a specific percentage of the tortious conduct that proximately caused the injury or loss to person or property or the wrongful death is attributable to one or more persons from whom the plaintiff does not seek recovery in this action. Any party to the tort action from whom the plaintiff seeks recovery in this action may raise that affirmative defense at any time before the trial of the action. (R.C. 2307.23(C).)

#### *Limitation on application of act's joint and several liability provisions*

The above provisions regarding joint and several liability do not affect joint and several liability that is not based in tort. Additionally, they do not affect any other section of the Revised Code or the common law to the extent that the other section or common law makes a principal, master, or other person vicariously

liable for the tortious conduct of an agent, servant, or other person. A principal and agent, a master and servant, or other persons having a vicarious liability relationship must constitute a single party when determining percentages of tortious conduct in a tort action in which vicarious liability is asserted. (R.C. 2307.24.)

**Right of contribution among tortfeasors**

If one or more persons are jointly and severally liable in tort for the same injury or loss to person or property or for the same wrongful death, the act states that there may be a right of contribution even though judgment has not been recovered against all or any of them. The right of contribution exists only in favor of a tortfeasor who has paid more than that tortfeasor's proportionate share of the common liability, and that tortfeasor's total recovery is limited to the amount paid by that tortfeasor in excess of that tortfeasor's proportionate share. No tortfeasor may be compelled to make contribution beyond that tortfeasor's own proportionate share of the common liability. There is no right of contribution in favor of any tortfeasor against whom an intentional tort claim has been alleged and established. (R.C. 2307.25(A).)

The act further provides that a tortfeasor who enters into a settlement with a claimant is not entitled to contribution from another tortfeasor whose liability for the injury or loss to person or property or the wrongful death is not extinguished by the settlement, or in respect to any amount paid in a settlement that is in excess of what is reasonable (R.C. 2307.25(B)).

Additionally, the act provides that a liability insurer that by payment has discharged in full or in part the liability of a tortfeasor and has discharged in full by the payment its obligation as insurer is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's proportionate share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship. (R.C. 2307.25(C).)

The act's provisions regarding contribution do not impair any right of indemnity under existing law. If one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of the indemnity obligation. The act's provisions regarding contribution also do not apply to breaches of trust or of other fiduciary obligations. (R.C. 2307.25(D) and (E).)

The act provides that the proportionate shares of tortfeasors in the common liability must be based upon their relative degrees of legal responsibility. If equity

requires the collective liability of some as a group, the group will constitute a single share, and principles of equity applicable to contribution generally will apply. Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or loss or for the same wrongful death, contribution may be enforced by separate action. (R.C. 2307.25(F) and (G).)

Whenever the provisions of the "Federal Tort Claims Act," 60 Stat. 842 (1946), 28 U.S.C. 2671 et seq., are applicable to a tort and the United States is held liable in tort, the United States has no right of contribution under the provisions of this act against the state pursuant to the waiver of sovereign immunity contained in R.C. Chapter 2743. (the Court of Claims Law) (R.C. 2307.25(H)).

**Enforcement of right of contribution.** The act provides that, if a judgment that imposes joint and several liability has been entered in an action against one or more tortfeasors for the same injury or loss or for the same wrongful death, contribution may be enforced in that action by judgment in favor of one against other judgment debtors, by motion, upon notice to all parties to the action. If there is a judgment for the injury or loss or the wrongful death against the tortfeasor seeking contribution, that tortfeasor must commence any separate action to enforce contribution within one year after the judgment has become final by lapse of time for appeal or after appellate review. If there is no judgment for the injury or loss or the wrongful death against the tortfeasor seeking contribution, that tortfeasor's right of contribution is barred unless that tortfeasor (1) has discharged by payment the common liability within the statute of limitations period applicable to the claimant's right of action against that tortfeasor and has commenced that tortfeasor's action for contribution within one year after the payment, or (2) has agreed while an action is pending against that tortfeasor to discharge the common liability and has paid within one year after the agreement the common liability and commenced that tortfeasor's action for contribution. (R.C. 2307.26.)

The act further provides that recovery of a judgment for an injury or loss to person or property or a wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury, loss, or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution. Valid answers to interrogatories by a jury or findings of fact by a court sitting without a jury in determining the percentage of liability of several defendants for an injury or loss to person or property or a wrongful death are binding as among those defendants in determining their right to contribution. (R.C. 2307.27.)

### **Covenant not to sue or not to enforce judgment**

The act provides that when a release or a covenant not to sue or not to enforce judgment is given in good faith to one of two or more persons for the same injury or loss or the same wrongful death, both of the following apply (R.C. 2307.28):

(1) The release or covenant does not discharge any of the other tortfeasors from liability unless its terms otherwise provide, but it reduces the claim against the other tortfeasors to the extent of the greater of any amount stipulated by the release or the covenant or the amount of the consideration paid for it, except that the reduction of the claim against the other tortfeasors does not apply in any case in which the reduction results in the plaintiff recovering less than the total amount of the plaintiff's compensatory damages awarded by the trier of fact and except that in any case in which the reduction does not apply the plaintiff cannot recover more than the total amount of the plaintiff's compensatory damages awarded by the trier of fact.

(2) The release or covenant discharges the person to whom it is given from all liability for contribution to any other tortfeasor.

### **Exclusion of contribution provisions**

The contribution provisions of the act do not apply to a negligence or other tort claim to the extent that the joint and several liability provisions, the general contributory fault provisions, or the product liability contributory fault provisions of the act make a party against whom a judgment is entered liable to the plaintiff only for the proportionate share of that party (R.C. 2307.29).

### **General contributory fault**

#### **Contributory fault of the plaintiff asserted as an affirmative defense**

The act provides that: (1) the general contributory fault provisions of the act do not apply to tort actions based on a product liability claim, and (2) the contributory fault of the plaintiff may be asserted as an affirmative defense to a negligence claim or to a tort claim other than a negligence claim, except that the contributory fault of the plaintiff may not be asserted as an affirmative defense to an intentional tort claim.<sup>1</sup> The contributory fault of a person does not bar the person as plaintiff from recovering damages that have directly and proximately

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<sup>1</sup> See "**Product liability contributory fault**," below, for the act's provisions regarding contributory negligence or other contributory tortious conduct of a plaintiff as an affirmative defense to a product liability claim.

resulted from the tortious conduct of one or more other persons, if the contributory fault of the plaintiff was not greater than the combined tortious conduct of all other persons from whom the plaintiff seeks recovery in this action and of all other persons from whom the plaintiff does not seek recovery in this action. The court must diminish any compensatory damages recoverable by the plaintiff by an amount that is proportionately equal to the percentage of tortious conduct of the plaintiff. The general contributory fault provisions of the act do not apply to actions described in R.C. 4113.03 (see **COMMENT**). (R.C. 2315.32 and 2315.33.)

### **Allocation of damages**

The act provides that, if contributory fault is asserted and established as an affirmative defense to a negligence claim, the court in a nonjury action must make findings of fact, and the jury in a jury action must return a general verdict accompanied by answers to interrogatories, that specify the following: (1) the total amount of the compensatory damages that would have been recoverable on that negligence claim but for the tortious conduct of the plaintiff, (2) the portion of the compensatory damages that represents economic loss, (3) the portion of the compensatory damages that represents noneconomic loss, and (4) the percentage of tortious conduct attributable to all persons (see "**Determining the percentages of tortious conduct attributable to a party**," above (R.C. 2315.34).

### **Judgment**

After the court makes its findings of fact or after the jury returns its general verdict accompanied by answers to interrogatories, both of the following apply (R.C. 2315.35 and 2315.36):

(1) The court must diminish the total amount of the compensatory damages that would have been recoverable by an amount that is proportionately equal to the percentage of tortious conduct attributable to the plaintiff. If that percentage attributable to the plaintiff is greater than the sum of the percentages attributable to all parties to the tort action from whom the plaintiff seeks recovery plus all persons from whom the plaintiff does not seek recovery in this action, the court is required to enter judgment in favor of the defendants.

(2) The court must enter a judgment in favor of the plaintiff that imposes liability (see "**Determination of joint and several liability**," above) if contributory fault is asserted as an affirmative defense to a negligence claim, it is determined that the plaintiff was contributorily at fault and that contributory fault was a direct and proximate cause of the injury, death, or loss to person or property that is the subject of the tort action, and the plaintiff is entitled to recover compensatory damages from more than one party.

## **Product liability contributory fault**

### **Express or implied assumption of the risk as an affirmative defense**

The act provides that express or implied assumption of the risk may be asserted as an affirmative defense to a product liability claim, except that express or implied assumption of the risk may not be asserted as an affirmative defense to an intentional tort claim. If express or implied assumption of the risk is asserted as an affirmative defense to a product liability claim and if it is determined that the plaintiff expressly or impliedly assumed a risk and that the express or implied assumption of the risk was a direct and proximate cause of harm for which the plaintiff seeks to recover damages, the express or implied assumption of the risk is a complete bar to the recovery of those damages. (R.C. 2315.42.)

### **Contributory negligence or other contributory tortious conduct as an affirmative defense**

The act provides that contributory negligence or *other contributory tortious conduct* (see "**Definitions**," below, last paragraph) may be asserted as an affirmative defense to a product liability claim. Contributory negligence or other contributory tortious conduct of a plaintiff does not bar the plaintiff from recovering damages that have directly and proximately resulted from the tortious conduct of one or more other persons, if that contributory negligence or other contributory tortious conduct was not greater than the combined tortious conduct of all other persons from whom the plaintiff seeks recovery and of all other persons from whom the plaintiff does not seek recovery in this action. If the above applies, the compensatory damages recoverable by the plaintiff must be diminished by an amount that is proportionately equal to the percentage of negligence or other tortious conduct of the plaintiff (see "**Allocation of damages**," below). (R.C. 2315.43.)

### **Allocation of damages**

If contributory negligence or other contributory tortious conduct is asserted and established as an affirmative defense to a product liability claim, the court in a nonjury action must make findings of fact, and the jury in a jury action must return a general verdict accompanied by answers to interrogatories, that specify the following: (1) the total amount of the compensatory damages that would have been recoverable on that product liability claim but for that negligence or other tortious conduct, (2) the portion of the compensatory damages that represents economic loss, (3) the portion of the compensatory damages that represents noneconomic loss, and (4) the percentage of negligence or other tortious conduct attributable to all persons determined as specified under "**Joint and several**

**liability; Determining the percentages of tortious conduct attributable to a party,**" above. (R.C. 2315.44.)

### **Judgment**

After the court makes its findings of fact or after the jury returns its general verdict accompanied by answers to interrogatories, the court must diminish the total amount of the compensatory damages that would have been recoverable by an amount that is proportionately equal to the percentage of negligence or other tortious conduct that is attributable to the plaintiff. If that percentage of the negligence or other tortious conduct is greater than the sum of the percentages of the tortious conduct determined to be attributable to all parties to the action from whom the plaintiff seeks recovery plus all persons from whom the plaintiff does not seek recovery in the action, the court must enter judgment in favor of the defendants. (R.C. 2315.45.)

After it makes findings of fact or after the jury returns its general verdict accompanied by answers to interrogatories, a court must enter a judgment that is in favor of the plaintiff and that imposes liability as described above in "**Determination of joint and several liability,**" if all of the following apply: (1) contributory negligence or other contributory tortious conduct is asserted as an affirmative defense to a product liability claim, (2) it is determined that the plaintiff was contributorily negligent or engaged in other contributory tortious conduct and that contributory negligence or other contributory tortious conduct was a direct and proximate cause of the injury, death, or loss involved, and (3) the plaintiff is entitled to recover compensatory damages from more than one party (R.C. 2315.46).

### **Exception**

The product liability contributory fault provisions of the act do not apply to actions described in R.C. 4113.03 (see **COMMENT**) (R.C. 2315.41(B)).

### **Definitions**

The act defines the following terms for Chapters 2307. (civil actions) and 2315. (trial procedure) of the Revised Code (R.C. 2307.011):

(1) "Conduct" means actions or omissions.

(2) "Contributory fault" means contributory negligence, other contributory tortious conduct, comparative negligence, or express or implied assumption of the risk.

(3) "Economic loss" means any of the following types of pecuniary harm:



(a) All wages, salaries, or other compensation lost as a result of an injury, death, or loss to person or property that is a subject of a tort action, including wages, salaries, or other compensation lost as of the date of a judgment and future expected lost earnings;

(b) All expenditures for medical care or treatment, rehabilitation services, or other care, treatment, services, products, or accommodations incurred as a result of an injury, death, or loss to person that is a subject of a tort action, including expenditures for those purposes that were incurred as of the date of a judgment and expenditures for those purposes that, in the determination of the trier of fact, will be incurred in the future because of the injury, whether paid by the injured person or by another person on behalf of the injured person;

(c) All expenditures of a person whose property was injured or destroyed or of another person on behalf of the person whose property was injured or destroyed in order to repair or replace the property;

(d) Any other expenditures incurred as a result of an injury, death, or loss to person or property that is a subject of a tort action, except expenditures of the injured person, the person whose property was injured or destroyed, or another person on behalf of the injured person or the person whose property was injured or destroyed in relation to the actual preparation or presentation of the claim involved.

(4) "Intentional tort claim" means a claim alleging that a tortfeasor intentionally caused or intentionally contributed to the injury or loss to person or property or the wrongful death or that a tortfeasor knew or believed that the injury or loss to person or property or the wrongful death was substantially certain to result from the tortfeasor's conduct. As used in the act's provisions, "intentional tort claim" does not include an intentional tort claim alleged by an employee or the employee's legal representative against the employee's employer and that arises from the tortfeasor's conduct that occurs on premises owned, leased, or supervised by the employer.

(5) "Negligence claim" means a civil action for damages for injury, death, or loss to person or property to the extent that the damages are sought or recovered based on allegation or proof of negligence.

(6) "Noneconomic loss" means nonpecuniary harm that results from an injury, death, or loss to person that is a subject of a tort action, including, but not limited to, pain and suffering; loss of society, consortium, companionship, care, assistance, attention, protection, advice, guidance, counsel, instruction, training, or education; mental anguish; and any other intangible loss.

(7) "Person" has the same meaning as in R.C. 1.59(C) and additionally includes a political subdivision and the state.

(8) "Persons from whom the plaintiff does not seek recovery in this action" includes, but is not limited to, the following:

(a) Persons who have entered into a settlement agreement with the plaintiff;

(b) Persons whom the plaintiff has dismissed from the tort action without prejudice;

(c) Persons whom the plaintiff has dismissed from the tort action with prejudice;

(d) Persons who are not a party to the tort action whether or not that person was or could have been a party to the tort action if the name of the person has been disclosed prior to trial.

(8) "Plaintiff" includes the person for whom the plaintiff is legal representative.

(9) "Political subdivision" and "state" have the same meanings as in R.C. 2744.01.

(10) "Tort action" means a civil action for damages for injury, death, or loss to person or property. "Tort action" includes a product liability claim but does not include a civil action for damages for a breach of contract or another agreement between persons.

(11) "Trier of fact" means the jury or, in a nonjury action, the court.

For purposes of the product liability contributory fault provisions of the act, the act defines "other contributory tortious conduct" or "other tortious conduct" to mean tortious conduct that contributes to the injury, death, or loss to person or property for which the plaintiff is seeking relief, but does not include conduct constituting express assumption of the risk or implied assumption of the risk (R.C. 2315.41(A)).

### **Applicability**

The act's various sections, as amended or enacted, apply only to causes of action that accrue on or after the effective date of the act. Any cause of action that accrues prior to the effective date of the act is governed by the law in effect when the cause of action accrued. (Section 3.)



## Miscellaneous

The act amends and renumbers various Revised Code sections in order to correct cross-references and create room in the Revised Code for the act's new sections. (R.C. 1775.14, 2315.08, 4171.10, 4507.07, and 5703.54.) The act outright repeals R.C. 2307.31, 2307.32, 2307.33, 2315.19, and 2315.20 and replaces those sections with the act's new sections.

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## COMMENT

R.C. 4113.03 states:

In all actions brought to recover from an employer for personal injuries suffered by his employee or for death resulting to such employee from such personal injuries, while in the employ of such employer, arising from the negligence of such employer or any of such employer's officers, agents, or employees, it shall be held in addition to any other liability existing by law that any person in the employ of such employer, in any way having power or authority in directing or controlling any other employee of such employer, is not the fellow servant, but superior to such other employee; any person in the employ of such employer in any way having charge or control of employees in any separate branch or department shall be held to be the superior and not the fellow servant of all employees in any other branch or department in which they are employed; any person in the employ of such employer whose duty it is to repair or inspect the ways, works, boats, wharves, plant, machinery, appliances, or tools, in any way connected with or in any way used in the business of the employer, or to receive, give, or transmit any signal, instruction, or warning to or for such employees, shall be held to be the superior and not the fellow servant of such other employees of such employer.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-29-01	pp. 457-458
Reported, S. Judiciary on Civil Justice	06-21-01	p. 688
Passed Senate (22-10)	06-26-01	p. 707
Reported, H. Civil & Commercial Law	11-27-02	p. 2120
Passed House (79-17)	12-03-02	pp. 2135-2139
Senate concurred in House amendments (21-10)	12-04-02	p. 2204

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