

Sovereign Immunity

House Bill 401

OVERARCHING MESSAGE

Please oppose CS/HB 401, which creates unreasonably high sovereign immunity limits - \$2.5 million per person/\$5 million per incident cap.

Protect Taxpayers:

Increasing the sovereign immunity limits to unreasonably high levels exposes cities to a risk of substantial financial burden. This would raise insurance premiums and place additional strain on taxpayers already struggling to keep up with the rising living costs.

Equitable Balance:

The current statutory limits on damages provide a reasonable balance between the needs of those who have been harmed and the ability of government entities to provide services. Raising the limits would upset this balance and create a situation where local governments may be substantially burdened with financial liabilities.

Increased Frivolous Litigation:

The ability to collect larger settlements or judgments against government entities will only invite opportunistic lawsuits and increase frivolous litigation. This could ultimately drain public resources and divert attention away from important issues that require the attention of local governments.

Harm to Vital Programs:

Cities may be faced with the difficult decision of raising taxes or cutting services to pay out large claims. This irresponsible shift would put public safety at risk and harm communities, especially for smaller cities that are already working with limited resources.

Fiscal Hardships for Small Local Governments:

In the case of CS/HB 401, increasing the caps for damages against local government entities to the same level as state entities is inappropriate since local governments typically have fewer resources than the state government to pay for these damages.

Exacerbating Budgetary Constraints:

Our municipalities are already facing significant budgetary constraints, and an increase in sovereign immunity limits would only exacerbate the problem. This would have a disproportionate impact on smaller cities that are already working with limited resources.

The Florida League of Cities welcomes a discussion on what the appropriate caps for sovereign immunity should be while balancing the impacts on the State, its agencies, and its subdivisions.



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