

HB 1578 -- CIVIL PROCEDURE (Kolkmeyer)

COMMITTEE OF ORIGIN: Special Committee on Litigation Reform

This bill amends the law regarding joinder of parties in civil proceedings by stating that out-of-state injury claims arising out of separate incidents or purchases of the same product or service will not justify joinder of two or more parties in one action. In addition, in any tort civil action, two or more plaintiffs may be joined in a single action only if each plaintiff is able to independently establish venue, except that plaintiffs may be joined in actions pending in counties with a population below certain specified thresholds. Two or more defendants may be joined in a single action only if personal jurisdiction and venue is established as to each defendant. If two or more plaintiffs are injured outside of Missouri as a result of a single occurrence, they may be joined in one action in Cole County. Misjoined parties shall be transferred to a county with proper venue, or dismissed if no such county exists in Missouri.

The bill further changes the law regarding the definition of principal place of residence, for individuals, corporations, and insurance companies, for venue purposes in civil actions. Claims for benefits due under certain insurance contracts are made subject to the same venue rules as tort actions. Each plaintiff in a tort action is required to establish proper venue as to each defendant, independent of other claims. If a plaintiff files a claim in a county without proper venue, the case shall be transferred to a county with proper venue, or dismissed if no such county exists in Missouri. The denial of a motion to transfer venue in error requires reversal, without any finding of prejudice.

The provisions of this bill do not apply to any civil action pending on or before May 18, 2018.