

## **Punitive Damages Amendments**

## 2026 GENERAL SESSION

STATE OF UTAH

## **Chief Sponsor: Ronald M. Winterton**

### House Sponsor:

## LONG TITLE

### **General Description:**

This bill enacts provisions relating to limitations on liability for punitive damages.

## Highlighted Provisions:

This bill:

- ▶ defines "motor vehicle";
- ▶ provides a limit on an award of punitive damages resulting from a personal injury claim that involves a motor vehicle; and
- ▶ provides a limit on the attorney fees related to an award of 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:

**78B-8-204 . Limitations on award of punitive damages for a personal injury claim involving a motor vehicle.**

- (1) As used in this section, "motor vehicle" means the same as that term is defined in Section 41-1a-102.
- (2) If the basis for punitive damages under Section 78B-8-201 is based on the tortfeasor's operation of a motor vehicle and the cause of action arises out of a personal injury claim, an award of punitive damages may not exceed an amount equal to the greater of:
  - (a) the sum of:
    - (i) two times the amount of economic damages; and

31                   (ii) an amount equal to any noneconomic damages not exceeding \$750,000; or  
32                   (b) \$200,000.

33                   (3) If a court awards a person punitive damages in accordance with this section, attorney  
34                   fees for the person may not exceed 25% of the amount of the total award of punitive  
35                   damages.

36                   **Section 2. Effective Date.**

37                   This bill takes effect on May 6, 2026.