

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.