

Transparency in Lawsuits Protection Act; Senate Sub. for HB 2313

Senate Sub. for HB 2313 creates the Transparency in Lawsuits Protection Act (Act), stating the Legislature's intent that, unless expressly provided, no statute, rule, regulation, ordinance, or other enactment of the state creates a private right of action. Similarly, it requires any legislation creating a private right of action to contain express language providing for the right and, absent that language, prohibits courts from construing a statute to imply a private right of action. Further, it provides that the Act is not meant to be construed to prevent the breach of any duty imposed by law from being used as the basis for a cause of action under any theory of recovery otherwise recognized by law, including, but not limited to, theories of recovery under the law of torts or contracts.