VETO # 282

December 20, 2019

TO THE SENATE:

I am returning herewith, without my approval, the following bills:

Senate Bill Number 6081, entitled:

"AN ACT to amend the general obligations law, in relation to settlements in tort actions; and to repeal section 15-108 of such law relating to release or covenant not to sue"

NOT APPROVED

This bill would require non-settling defendants in tort actions to elect their judgment reduction before the commencement of trial. In the absence of available settlement information, the potential exists for non-settling defendants to pay more than their equitable share and for plaintiffs to become unjustly enriched by receiving monetary amounts in excess of the rendered verdict.

I support the public policy of this bill which encourages settlements in civil actions, however, the proposed legislation is not an effective means to that end. Numerous stakeholders have raised concerns with this approach, with many stating this change will unfairly tip the balance too far in favor of a settlement. Based on the foregoing reasons, I am constrained to veto this bill.

The bill is disapproved.

[Signature]